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Agrahayana 16, 1881 (Saka)

LOK SABHA DEBATES

Ninth Session
(Second Lok Sabha)



LOK SABHA SECRETARIAT
NEW DELHI

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N.B.—The sign + above a name of a Member on Questions, which were orally answered indicates that the Question was actually asked on the floor of the House by that Member.

LOK SABHA DEBATES

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LOK SABHA

Monday, December 7, 1959/
Agrahayana 16, 1881 (Saka)

The Lok Sabha met at Eleven
the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Khrushchev Plan for Disarmament

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Shri D. C. Sharma:
Shri Sadhan Gunta:
Shri A. K. Gopalam:
Shri Vasudevan Nair:
Shri S. M. Banerjee:
Shri P. G. Deb:
*610.

Will the Prime Minister be pleased
to state: . . .

(a) whether the Khrushchev Plan
for Disarmament has been consider-
ed by Government; and

(b) if so, their reaction thereto?

The Parliamentary Secretary to the
Minister of External Affairs (Shri
Sadath Ali Khan): (a) and (b). The
Government of India welcome the
Soviet plan for general and complete
disarmament. They believe that, with
goodwill and determination from all
aides, its main purposes are possible
of accomplishment.

Shri D. C. Sharma: May I know if
the Indian Delegation to U.N. has ex-
pressed any views on the subject and
if so, what were the views?

Shri Sadath Ali Khan: The Chair-
man of the Indian Delegation put for-
ward some suggestions. He put for-

ward the following suggestions re-
garding the future discussions of the
disarmament plan by the 10-nation
committee:

- (i) The world should have some
knowledge of what is going on
in the 10-nation committee.
- (ii) The 10-nation committee
should function under the
umbrella of the Summit.
- (iii) Regarding the implementation
of the disarmament agree-
ment, he suggested that it was
worth-while considering whe-
ther the Nuremberg method
of making the individual
violator subject to penalty
under the national laws of his
own country would not be the
right thing to do.

This has appeared in the Press.

Shri Hem Barua: May I know whe-
ther the Prime Minister or the Gov-
ernment of India propose to discuss
the Khrushchev Plan for disarma-
ment with Mr. Eisenhower when he
visits this country?

Shri Sadath Ali Khan: This plan
has already been discussed at the
U.N. level.

Shri Kashiwal: The hon. Parlia-
mentary Secretary has referred to the
speech of the Chairman of the Indian
Delegation about the disarmament
committee. May I know whether the
disarmament committee which had
been created by a resolution sponsor-
ed by India and Yugoslavia will con-
sider the Khrushchev Plan or they
will proceed with their deliberations
from the point where it was left in
the London conference of disarma-
ment?

Shri Sadath Ali Khan: I believe the Soviet proposal will be considered in the first instance by this 10-nation committee, which will meet sometime next year.

Shri S. M. Banerjee: Since the Government of India has welcomed this plan, may I know whether any steps are being taken to popularise this plan in other countries through our ambassadors?

Shri Sadath Ali Khan: That is not our job.

Shri P. G. Deb: May I know whether the leader of the Indian Delegation consulted the Government of India before making his own independent statement on the 3rd November, 1959?

Shri Sadath Ali Khan: It was not an independent statement; it was under Government of India's instructions.

Shri Feroze Gandhi: May I know whether the hon. Parliamentary Secretary would assure the House that this disarmament business will not be considered for our internal purposes?

Mr. Speaker: What is the good of asking the Parliamentary Secretary for an assurance?

Shri S. M. Banerjee: He represents the Prime Minister.

Shri D. C. Sharma: May I know if the disarmament plan sponsored by our Government is in any way different from the one put forward by Mr. Khrushchev?

Shri Sadath Ali Khan: Our plan for disarmament and the Soviet proposal may have something in common, but they are different suggestions according to different situations.

Shri Tangamani rose—

Mr. Speaker: The hon. Member is not one of the sponsors of the question. I was a little indulgent to Shri Sharma because he is a sponsor of the question. Next question.

Closure of Cotton Textile Mills in Orissa

*611. **Shri Panigrahi:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 15 on the 3rd August, 1959 and state:

(a) the names of the two Cotton Textile Mills which closed down completely in Orissa;

(b) the reasons for their complete closure; and

(c) whether attempts are being made to reopen them?

The Minister of Commerce (Shri Kanungo): (a) Messrs. Kalinga Textiles, Rajgangpur and M/s. Orissa Cotton Mills, Bhagatpur (Cuttack District).

(b) and (c). Both the mills are intrinsically uneconomic. The mills are moreover in financial difficulties and cannot, therefore undertake any programme of expansion to bring them to economic levels. The power supply to the mills had to be cut off by the State Government as the electricity dues were not paid. Government are not aware of any attempts being made to revive these mills.

Shri Panigrahi: May I know whether these two textile mills had started production since their operation?

Shri Kanungo: Yes, Sir; they were in operation and they were producing.

Shri Ram Krishan Gupta: May I know the number of workers who have been retrenched and the steps taken to re-employ them?

Shri Kanungo: The number of labourers involved is 207 in Kalinga Textiles, Rajagangpur and 138 in Orissa Cotton Mills, Bhagatpur.

Shri Supakar: May I know for how long these two textile mills were in operation?

Shri Kanungo: They were in operation for more than two years.

Shri Supakar: What was the quantity of production in those two years?

Shri Kanungo: I have not got the exact quantity, but they are very uneconomic mills. One has got 4,000 spindles and odd and the other 8,000 spindles and odd.

Shri Panigrahi: Since the two mills were in production for two years, may I know whether Government propose to take any steps to revive the two mills?

Shri Kanungo: Government have already advised them to provide more capital and bring them up to the level of economic mills. They have not done so. Therefore, it is open to them to increase the spindleage and bring them to economic level.

Shri Sonavane: May I know whether Government are concerned about the closure of these mills, the loss of out-put to the nation as also the unemployment caused to the labourers?

Shri Kanungo: The loss of production is very insignificant considering the size of the mills. In any case, we do not consider it worth-while for these uneconomic mills to run.

Shri Warior: The hon. Minister has stated that about 8,000 spindles are working in one mill and that mill is uneconomic. Is it the suggestion that 8,000 spindles will not be economic?

Shri Kanungo: Yes Sir. It is considered that the minimum number of spindles should be 12,000.

Labour Participation in Management

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*612. { **Shri Ram Krishan Gupta:**
 { **Shri Kodiyan:**

Will the Minister of Labour and Employment be pleased to refer to the reply given to Unstarred Question No. 1931 on the 1st September, 1959 and state:

(a) whether Government have since assessed the results of the scheme of

labour participation in management of factories; and

(b) if so, the result thereof?

The Parliamentary Secretary to the Minister of Labour and Employment (Shri L. N. Mishra): (a) and (b). Reports received so far from the Units which have set up Joint Management Council are encouraging. A Conference of the representatives of these undertakings and some experts in the line is proposed to be convened shortly to assess the results.

Shri Ram Krishan Gupta: In reply to a previous question the hon. Minister has stated that the progress of the scheme is being awaited with interest. May I know whether there has been any improvement in production in the factories in which this scheme has been introduced?

Shri L. N. Mishra: So far as the question of production is concerned, it is too early to assess the result. As far as better human relations are concerned, they have definitely been achieved.

Shri Tangamani: May I know whether it is not a fact that as a result of workers' participation in the management in the public sector, as in the case of Hindustan Machine Tools the production has increased?

Shri L. N. Mishra: It is difficult to assess it. But we hope that productivity will increase.

Shri Tyagi: I want a clarification as to whether this sharing in the management only means the managerial activities or responsibilities to be shared, or also sharing of profits?

The Minister of Labour and Employment and Planning (Shri Nanda): Indirectly later on, it might lead to that also, but the scheme visualizes only the participation by the workers' representatives in certain functions in which otherwise they were not participating.

Shri Tyagi: It is not clear. Participation to what extent? Participation

with regard to disposal of things, sales, purchase, management or work? What type of participation is it?

Shri Nanda: There are three directions in which this participation is proceeded with. Firstly, there are certain activities in an establishment which affect the welfare of the workers, e.g., canteens etc. which could be managed by the workers themselves. Secondly, the present idea is that the workers should be placed in a position to know much more about the working of a concern than they do at present; that is to say, whether a particular establishment is faring well or not faring well, its economic position etc., so that they should be better informed of the working of the concern. Thirdly, they should be consulted regarding other matters about administration. Of course, it is not very much.

Shri Tyagi: It is neither here nor there.

Shri Ram Krishan Gupta: In the light of the experience gained, may I know whether there is any proposal to increase the powers of the Joint Management Council?

Shri Nanda: We are shortly going to meet all those who have now been connected with this experiment and we shall assess the progress and the problems, and what more has to be done will arise from that discussion.

Shri Tridib Kumar Chaudhuri: May I know to what extent the incidence of labour disputes has decreased since this labour's participation in management was instituted? Have we got any comparative figures?

Shri Nanda: In the first place, the duration of this experiment was so short and its scope so limited that I do not think it is possible to say what exactly has been the consequences of that in those terms.

Shri N. R. Muniswamy: May I know whether it is not a fact that the labour participation in Hindustan Machine

Tools has not given the desired result in so far as there have been no meetings at all between the labour and management in HMT?

The Minister of Industry (Shri Manubhai Shah): It is true that in the early stages for about nine months the work of the joint management council went on quite satisfactorily. But in recent months there has been a dispute arising out of the question as to who are the real representatives of the workers and, therefore, the Labour Commissioner and the Labour Minister of the Mysore State are going into the representative capacity of the workers. As soon as their recommendation is given the work of the joint management council will perhaps re-start.

Shri S. M. Banerjee: I want to know whether Government could find out a basis for introducing this scheme in a particular unit where more than one unit exists and whether this basis has been tried anywhere. I also want to know the date of the conference mentioned by the hon. Minister.

Shri Nanda: The conference is intended to be held some time in February. I cannot give the precise date at the moment. The condition which applies to the initiation of the scheme in any particular establishment is that there should be good industrial relations and so where more than one unit exists it is not adopted.

Shri T. B. Vittal Rao: The joint management council has been formed only in very few units, only about 20 units, whereas we have got 6,000 odd units in India. May I know the difficulties in the way of extension of this council of management to other units?

Shri Nanda: We had, to begin with, thought of only a very limited number. The number was intended to be about 40 but, on closer scrutiny, it was found that there were some difficulties in the case of some of these

establishments. Therefore, we have made a beginning with 23. The next stage will be after the seminar. My intention is to place this idea before the seminar. It should not be only a question of selecting a few units for this purpose but uniformly applying everywhere certain conditions. We will take the large industrial units and find out whether there is anything which precludes the introduction of the scheme in any case.

Shri Ram Krishan Gupta: The hon. Minister just now stated that the council will also advise on administrative matters. May I know the precise administrative matters on which its advice is now sought?

Shri Nanda: The question of expansion of a concern, for example, is one such matter. All those things which affect the profitability and the general working of the concern will form part of that.

Industrial Hygiene Surveys

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*613. { Shri S. C. Samanta:
Shri Subodh Hansda:
Shri R. C. Majhi:

Will the Minister of Labour and Employment be pleased to state:

(a) whether the Industrial Hygiene Surveys have been undertaken by Government with particular reference to certain specified industries;

(b) if so, whether they have been completed; and

(c) whether any report has been received by Government?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes. So far surveys in 10 specified industries have been carried out by the organisation of the Chief Adviser, Factories.

(b) Yes.

(c) Yes.

Shri S. C. Samanta: May I know the steps that have been taken after the completion of the survey?

Shri Abid Ali: The report is forwarded to the State Governments concerned. The Chief Adviser of Factories will frame the draft rules to be adopted by the State Governments for inclusion in their factory rules.

Shri S. C. Samanta: May I know whether any outside help was received? Which of the institutions in the country helped the Government in this matter?

Shri Abid Ali: In the survey which was carried out in 1951 or 1952 help was sought from the U.S.A. under Point Four Programme. There are several institutions in the country, like Arita, whose help is sought in these matters.

Shri S. C. Samanta: May I know whether due publicity has been given in this matter?

Shri Abid Ali: We have published about 19 reports in this connection, and all these reports are available in the Library.

Salt Industry

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*614. { Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 1687 on the 28th August, 1959 and state:

(a) whether under the French TCM Programme the visit of the Chief Engineer of Campagnie des Salins du Midi of France in the Salt Industry, has been arranged; and

(b) how far the other recommendations made by two officers deputed to France in 1958 for a study of the Salt Industry there have so far been implemented?

The Minister of Industry (Shri Manubhai Shah): (a) Necessary requisition for the visit of the Engineer has been placed with the French Authorities.

(b) Action on the main recommendations made by the two officers will be taken after the French Engineer has visited the country. Introduction of a system of grading of salt and of transport of salt in bulk by rail are under consideration.

Shri S. C. Samanta: May I know whether there is any great demand for pure salt from chemical industries and, if so, whether any immediate steps have been taken in this regard?

Shri Manubhai Shah: As the hon. Member has rightly pointed out, there is very great demand and, therefore, the production of quality salt meant for chemical industries has also increased manifold during the last few years.

Shri S. C. Samanta: At what stage is the scheme to transport salt by railways with paper liner?

Shri Manubhai Shah: The demand with paper-lining in the bag is not much because table salt or refined salt could be better packed in small packets. So that has not arisen.

Shri Ramanathan Chettiar: May I know whether the export of salt has increased by an appreciable quantity and, if so, by how many thousand tons?

Shri Manubhai Shah: I would not say that it has increased but it has not receded also thanks to the recent agreement that the STC has entered into with the Japanese importers. As a result of this step we hope that gradually exports might increase.

Shri Hem Barua: May I know whether it is a fact that the officers suggested the introduction of mechanical harvesting of salt as also the modern process of salt production as the salt pumps? If so, what steps have Government taken in that direction?

Shri Manubhai Shah: The recommendations of the officers and what they saw on the Continent point out to entirely revolutionary changes in the modernisation of production of

salt. Therefore we have to carefully consider on the one hand the importance of modernization of salt industry and on the other hand the reduction in employment that it may cause due to these revolutionary changes that have taken place in European countries.

Small Scale Industries

*615. **Shri Harish Chandra Mathur:** Will the Minister of Commerce and Industry be pleased to state:

(a) the extent to which Government have slowed down their expenditure on Cottage and Small Scale Industries for lack of funds;

(b) what priority Government give to the development of Small Scale Industries;

(c) the extent to which the administrative and technical machinery set up and tempo generated for development of small industries will be utilised during the remaining part of the Second Five Year Plan; and

(d) what more funds would be required and whether steps have been taken to make necessary provision?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). A statement is laid on the Table of the House. [See Appendix II, annexure No. 75].

Shri Harish Chandra Mathur: As the hon. Minister has given an idea of the overall reduction, may I know the extent of the reduction in the case of small-scale industry? What is the basis for this reduction? Is it incapacity of the administrative machinery to utilise the funds or is it lack of funds?

Shri Manubhai Shah: I have mentioned in the answer that the main thing is the lack of resources. As a matter of fact the activities of all the boards for small industries, including small-scale industries, khadi, handloom and handicrafts are so much going up that if more funds than have been originally provided were there,

they could have fruitfully utilised them. The reduction in the small-scale industries sector, which the hon. Member has enquired about, is from Rs. 61 crores to Rs. 55.57 crores. That is entirely due to lack of resources.

Shri Harish Chandra Mathur: May I know whether it is a fact that certain State Governments have asked for more funds and they are asked to make re-adjustments from one major head to another? Does this apply also in the case of under-developed States?

Shri Manubhai Shah: There have practically been demands for increasing the allocation from every State for almost every scheme under the small industries. What we have advised them is that it is not possible to raise the allocations and that if there is a shortfall in one sector of the economy and they want to divert it to small-scale industry or other small industry sector they will be permitted to do so from within the State plan.

Shri Harish Chandra Mathur: In view of the fact that right from the hon. Prime Minister down to every one has asked for better tempo in the small-scale industry and the great employment potential which it promised, is the Government prepared to reconsider the whole matter, particularly in the light of the fact that the tempo already created will get a great set back and the administrative machinery which is already there is rusting?

Mr. Speaker: It is a suggestion for action.

Shri Manubhai Shah: I fully share the anxiety of the House and the hon. Member on this. As the hon. Member is aware, we have lost no opportunity of impressing upon all authorities concerned to allot more and more funds to them. All I can assure the House is that the cut in this sector in proportion to other sectors has been less.

Shri Harish Chandra Mathur: In certain sectors there has been no cut

Mr. Speaker: He has given his explanation.

Shri Vidya Charan Shukla: Part (b) of the question asks about the priorities that Government gives to them. This has not been answered in the statement. I want to know whether Government have allotted any priority to various industries. If so what is the exact priority allotted to these small-scale industries in the Plan?

Shri Manubhai Shah: Priority to all small industries is one of the highest. Which priority does the hon. Member want to know? Does he want to know the inter-industry priority?

Shri Vidya Charan Shukla: Yes.

Shri Manubhai Shah: Inter-industry priorities are well-known. Machine building gets the highest priority. Engineering industries get the next priority. Chemical industries get the third priority. Consumer industries, of course, are accorded a high priority but it is lower than that of these three.

Shri Achar: Is it not a fact that many of the block development committees are not able to spend the amount budgeted for small-scale industries? If so, has the Government any proposal in regard to that?

Shri Manubhai Shah: That provision is entirely separate from the provision of Rs. 200 crores for small-scale industries under the Plan. What the hon. Member says is to some extent correct. There has been some shortfall. Therefore we are trying to see that with the co-ordination of both the ministries we can take over a part of their work and see that funds are more adequately and expeditiously utilised.

Shri Tangamani: Out of these Rs. 41½ crores set apart for the year 1959-60 for cottage and small-scale industries, how much has been earmarked for small-scale industries?

Shri Manubhai Shah: Rs. 55.57 crores.

Shri Tangamani: That is for the total. Rs. 55.74 crores is out of the total which has been earmarked for cottage and small industries for the entire Plan period. Out of the Rs. 41 $\frac{1}{4}$ crores which have been set apart for cottage and small-scale industries in the current year, that is, 1959-60, how much has been set apart for small-scale industries? I want to know the break-up.

Shri Manubhai Shah: If the hon. Member wants to know the yearly break-up of every sector I am prepared to give it. But it is a long list. For the current year for small-scale industries it is about Rs. 15 crores.

सेठ गोविन्द दास : जो लघु उद्योगों के सम्बन्ध ने सरकार को मनुभव हुआ है और इस सम्बन्ध में मित्र प्रियं राज्यों से जो लिखा-पढ़े हुई है, क्या उस के आवार पर इस प्रकार का विचार किया जा रहा है कि जैसे इस समय लघु उद्योगों को कम प्रोत्साहन मिला वैसा तृतीय पंचवर्षीय योजना में न होने पाए ?

श्री मनुभाई शाह : जैसा माननीय सदस्य ने बताया, हम अभी यह चाहते हैं कि कम से कम ५००-६०० करोड़ रुपया तृतीय पंचवर्षीय योजना में लघु उद्योगों को मिले, और इस हाउस की जितनी सिम्पवी है इस मामते से उसको देवते हुए हम आशा करते हैं कि वहां तक पहुँचने की हम कोशिश कर मरेंगे ।

Shri Harish Chandra Mathur: What are the reasons that the small-scale industry is not accepted as a core of the Plan industry? The answer which he has given to part (d) of the question does not reconcile with what he has stated here. How are you going to revise the Plan and increase the funds in the last year when you are cramping them in the third year and fourth year of the Plan?

Shri Manubhai Shah: The facts of the situation are broadly known to

the whole country and to the House. We had to prune the Plan a little because of the lack of adequate resources. To match with the overall target therefore the original provision of Rs. 200 crores had to be slightly brought down. But I can assure the House that compared to the cut in my own Ministry, the cut in the small-scale has been less.

दिल्ली का आंदोलिक सर्वेक्षण

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श्री भक्त दर्शन :

*६१६. { **श्री नवल प्रभाकर :**

श्री दी० च० शर्मा:

क्या वाचिक्य तथा उद्योग मंत्री रक्षणस्त्त, १९५६ के तरारंकित प्रश्न संस्करण ८७२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) दिल्ली का जो आंदोलिक सर्वेक्षण किया जा रहा है उस में अब तक क्या प्रगति हुई है ; और

(ब) इस सर्वेक्षण के कब तक समाप्त होने की संभावना है ?

The Minister of Industry (Shri Manubhai Shah): (a) The staff required for the survey is being appointed. It is expected that the survey will be started early next year.

(b) The survey is expected to be completed by the end of 1960.

सेठ गोविन्द दास : यह सवाल हिन्दी में है । हम आशा करते थे कि इसका उत्तर हिन्दी में दिया जायगा ।

श्री मनुभाई शाह : (क) इस सर्वेक्षण के लिए आवश्यक कर्मचारियों की भरती की जा रही है । यह सर्वेक्षण अगले वर्ष के प्रारंभ में शुरू हो जाने की आशा है ।

(ब) इस सर्वेक्षण के १९६० के अंत तक समाप्त होने की संभावना है ।

श्री भक्त दर्शन : श्रीमन्, इसी प्रश्न के उत्तर में पिछली बार मंत्री जी ने बतलाया

वा कि दिल्ली से पहले ३६ अन्य नगरों का भौद्योगिक सर्वेक्षण हो चुका है । मैं जानना चाहता हूँ कि दिल्ली के बारे में जो कि देश की राजवाली है, सर्वेक्षण करने में इतनी देरी क्यों कर्त्तव्यी ?

श्री मनुभाई शाह : इसका सबब यह है कि दिल्ली वे तो भौद्योगिक विकास का की हुआ है । जो थंडर डंडेलप्ड एरियाज ह उनको हम पहले ग्रिनरेस दे रहे हैं ।

श्री भक्त दर्शन : जब यह स्वीकार किया जा चुका है कि दिल्ली में भी सर्वेक्षण होना चाहिए, तो इस में इतनी देरी क्यों की जा रही है ?

श्री मनुभाई शाह : देरी कोई नहीं की जा रही है । अभी मंबूर हुआ है । उसके बारे में काम किया जा रहा है । ईकनिकल स्टाफ को एगाइंट करना है । इस में समय लगता है । जब से यह मंबूर हुआ है इस ने काम शुरू हो गया है ।

Shri D. C. Sharma: May I know if the staff that is employed here is going to be temporary staff or its services can be made use of for industrial survey of other places also?

Shri Manubhai Shah: As most of the staff is of the revolving type, as the hon. Member has rightly pointed out, we do not dispense with the staff once it gets experience. But there are also local field officers who are to be appointed from part-time university teachers and university students. That is entirely temporary.

श्री भक्त दर्शन : मैं यह जानना चाहता हूँ कि जिन नगरों का भौद्योगिक सर्वेक्षण हो चुका है उस के बाद फिर और कौन सा ठोस कदम उठाया जा रहा है उन नगरों के बारे में, जिसकी आशा कि दिल्ली के लिए भी की जा सके ?

श्री मनुभाई शाह : जितने सर्वे ही जाते हैं वे स्टेट गवर्नरेंट के सुधुंद कर दिए जाते हैं और बोहं और मंत्रालय देखते हैं कि उस में से

कितना इम्प्लीमेंट किया जा सकता है । उतने हिस्से को इम्प्लीमेंट करने के लिए हिदायतें दी जाती हैं ।

Mundhra Concerns

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*617. { Shri S. M. Banerjee.
Shri Panigrahi:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether in view of the fact that Shri H. D. Mundhra is involved in so many cases, Government propose to take over the industrial units run by him in the larger interest of the country; and

(b) if so, whether negotiations have been held by Government with Shri Mundhra?

The Minister of Commerce (Shri Kanungo): (a) No, Sir. I may add that all important establishments have either been taken over under the direction of the Court or by the action of the Government.

(b) Does not arise.

Shri S. M. Banerjee: As some of the concerns are bound to close down because of the uncertain position of Mr. Mundhra, may I know what steps are being taken by the Government to safeguard the interests of the share holders and the workers?

Shri Kanungo: I do not think there is any chance of any important establishment being closed down because most of them have been taken under management either under the directions of the court or the Government.

Shri S. M. Banerjee: Is it a fact that the Kanpur Cotton mill which is a unit under the B.I.C. has still not been taken over either by the Government or by Mr. Mundhra or by somebody else?

Shri Kanungo: Kanpur cotton mill is a part of the B.I.C. and the B.I.C. is managed under the directions of the court.

Shri S. M. Banerjee: My question is this. This mill has been closed. I want to know whether this mill is likely to start or not.

Shri Kanungo: It was closed down before it was taken up. Now, the management is under the directions of the High Court. The new management are taking steps either to open it or to improve it.

Shri Panigrahi: These actions have been taken and a new Board of management has taken over these important concerns. May I know whether any of the moneys invested by the L.I.C. or the Government has been recovered during this period from all these important concerns?

Shri Kanungo: There is no question of recovery because most of the L.I.C. funds were invested in shares. As far as the main concerns are concerned, their management has shown improvement.

Shri Ramanathan Chettiar: Is it a fact that the shares of some of the concerns of Mr. Mundhra have appreciated in value and if so, what are those concerns?

Shri Kanungo: I cannot say about all concerns. At least one or two Engineering concerns have shown appreciation and new issues are being made.

Mr. Speaker: Next question. I have already allowed a number of questions.

Shri S. M. Banerjee: Only one question, Sir. There were certain Britishers employed in the B.I.C. at Kanpur. They have left the concern. I want to know whether it is a fact that there were serious charges against them and if so, what steps were taken by the Government.

Shri Kanungo: Obviously, the management under the court is looking after them.

Ajudhya Textile Mills, Delhi

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*618. { **Shri Tangamani:**
 { **Shri Panigrahi:**
 { **Shri S. M. Banerjee:**

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 311 on the 11th August, 1959, regarding the working of Ajudhya Textile Mills, Delhi and state whether the Investigation Committee has since submitted its report?

The Minister of Commerce (Shri Kanungo): On the basis of the interim report, Government has already appointed a new Managing Agent under Section 18A of the Industries (Development and Regulation) Act, 1951. The Mills have already restarted working. Further report of the Committee is awaited.

Shri Tangamani: As it was already mentioned on 19-11-1959, may I know how many workers are now employed after the re-opening of these mills?

Shri Kanungo: The full complement of workers are employed.

Shri Tangamani: May I know whether the Government has advanced any money to the managing agent for running this unit?

Shri Kanungo: No, Sir.

Shri Tangamani: May I know how much money has been advanced by the managing agents who are now running this unit, because, in reply to the previous question, it was stated that out of all the mills taken over, this was one where neither the Central Government nor the State Government advanced any money, but the managing agents have advanced the working capital. I want to know whether the Government is satisfied that enough working capital has been advanced by the managing agents and if so, how much.

Shri Kanungo: Yes, Sir. The fact that the mills are working means

that working capital has been arranged. In any case, the establishment has taken over all the liabilities and assets of this company.

Closure of Uneconomic Companies.

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118. { Shri Ram Krishan Gupta:
Sardar Iqbal Singh:
Shri Ajit Singh Sarhadi:
Shri A. M. Tariq:

Will the Minister of Labour and Employment be pleased to state:

(a) whether there is any proposal for preventing the closure of uneconomic companies; and

(b) if so, at what stage is the proposal?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). The Indian Labour Conference held at Naini Tal made certain recommendations regarding closures. Appropriate action is taken from time to time under the Industries (Development and Regulation) Act when closures are apprehended.

Shri Ram Krishan Gupta: May I know what are the details and nature of these recommendations which were made for preventing closures of companies?

Shri Abid Ali: These were already placed on the Table of the Sabha.

Shri Ram Krishan Gupta: May I know whether there is any proposal to create co-operative societies of workers with a view to entrust the working of the uneconomic companies to these societies?

Shri Abid Ali: If the workers themselves start co-operative societies anywhere, we will encourage them.

Shri S. M. Banerjee: What is the total number of workers who are still unemployed on account of these closures?

Shri Abid Ali: It is difficult to say what number is unemployed. Of

course, so far as the figures are concerned, they were supplied earlier as well. It is not that when the mills are closed, all the workers who are rendered unemployed remain unemployed. They get alternative employment elsewhere.

Shri S. M. Banerjee: The hon. Minister said that they are getting alternative employment. I want to know how many workers are there who have not got any alternative employment.

Mr. Speaker: If the hon. Minister had the information, he would have given it. Again and again I find suggestions are made by the hon. Members that it is open to anybody in this country to start any mill, whether economic or uneconomic and the moment he closes it, the burden is upon the Government to take charge of it and run it, not knowing whether it will be economic or not. Even the suggestion whether the workers are going to be entrusted with the uneconomic units, is a rather strange suggestion. No workers will come forward hereafter. What I would say is, there is a limit to these suggestions. It is open to anybody to start a langada institution and throw it upon the Government. Next question.

Shri Surendranath Dwivedy: I want to know the number of uneconomic units closed so far.

Shri Braj Raj Singh: Everybody is not entitled to open a new concern because that is regulated under the Industries (Development and Regulation) Act.

Mr. Speaker: Below 5 lakhs, no consent is necessary. Let us not go into this matter.

Shri Surendranath Dwivedy: I want to know the number of uneconomic units closed.

The Minister of Labour and Employment and Planning (Shri Nanda): I can pass on this information, at any rate, to the hon. Member. The position is much more reassuring than it

was a year and a half before. The number of persons out of work and the number of mills closed is much less than before: about half as compared to what it was a year and half before.

Shri S. M. Banerjee: I want to know whether all the good replies are meant for the Minister and not for the Deputy Minister.

Some Hon. Members rose—

Mr. Speaker: Next question. I have allowed a number of questions. It has become a contagion; if I allow one hon. Member after I had called another question, every other hon. Member wants to take advantage of it.

पुराने किले से विस्थापितों का हटाया

जाना

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श्री प्रकाश बीर शास्त्री :
श्री नरदेव स्नातक :
श्री स० मो० बनर्जी :
श्री बी० च० शर्मा :
श्री रामजी बर्मा :
श्री प्र० च० बड़ाया :

*६२० पुराने किले से विस्थापितों का हटाया गया था अत्य संस्थाक-
कार्य ने यह बताने की कृपा करने के

(क) क्या यह सच है कि दिल्ली के पुराने किले में रहने वाले विस्थापितों को ३० नवम्बर, १९५६ तक उसे खाली करने का नोटिस दे दिया गया है ; और

(ख) उन में से कितने विस्थापित व्यक्ति लाजपत नगर में प्लाट मिल जाने पर वहां में चले गये हैं ?

पुनर्बास उपमंत्री (श्री पू० श० नासकर) :

(क) जी हां ।

(ख) ३ परिवार ।

श्री प्रकाश बीर शास्त्री : क्या मैं जान सकता हूँ कि कुल कितने परिवार वहां रहते हैं और वे अभी तक वहां से क्यों और किस तरह नहीं हटना चाहते हैं ?

पुनर्बास तथा अत्यस्थाक-कार्य मंत्री-
(श्री मेहर चन्द खन्ना) : परिवारों की तादाद भेर उपाल में चार पांच सौ के करीब है और चार बर्बं से १९५५ से ले कर १९५६ तक —यह सदाल इस पार्लियामेंट के सामने आ चुका है । इस बारे में काफ़ी कोशिश की गई, लेकिन नज़र यह आसता है कि ये हमारी कोई बात मानने के लिए या सोचने के लिए तैयार नहीं हैं ।

श्री प्रकाश बीर शास्त्री : क्या मैं जान सकता हूँ कि ऐसे कौन से कारण उन्होंने उपस्थित किए हैं कि जिस से सरकार जो स्थान उन को देना चाहती है, वहां वे परिवार नहीं जाना चाहते हैं ?

श्री मेहर चन्द खन्ना : हमारे और उन में जो मत-भेद हैं, वह सिफ़े यह है कि जो चीज़ वे चाहते हैं, वह हम दे नहीं सकते और जो मैं दे सकता हूँ उस को लेने के लिए ये तैयार नहीं हैं ।

श्री स० मो० बनर्जी : माननीय मंत्री जी ने अभी क़रमाया कि जो चीज़ वे चाहते हैं, उस को वह दे नहीं सकते और जो वह दे सकते हैं, उन को वे परिवार लेना नहीं चाहते । मैं यह जानना चाहता हूँ कि क्या यहां आखिर कोई बीच वाला रास्ता नहीं निकाला जायगा ।

श्री मेहर चन्द खन्ना : माननीय सदस्य के यहा आने से पहले भी इस बारे में कोशिश की गई और उन के आने के बाद भी दो बरस तक कोशिश की गई ।

Shri S. M. Banerjee: I take exception to this, Sir. I have not been elected at his mercy. What is this. He is saying:

“माननीय मदस्य के आने से पहले . . .”

Shri Mehr Chand Khanna: Let me reply, Sir, in English.

Mr. Speaker: I have understood what the hon. Minister has said. The hon. Minister need not say, after the Member has come in it has not been found possible.....

Shri P. S. Naskar: He did not say that.

Shri Mehr Chand Khanna: What I said was, two years before the hon. Member came to this House and two years after the hon. Member came to this House, I have made repeated efforts in this direction.

Shri S. M. Banerjee: You have not fought the elections. You have come to the Rajya Sabha. That is the difference.

Some Hon. Members: That was a humorous remark.

वंदित ठाकुर बास भार्गव : आनंदेबल मिनिस्टर साहब ने इस हाउस में बड़ी मेहरबानी कर के एक आफ़र दी थी कि एक-एक प्लाट और पांच-पांच सौ हरपे हर एक को दिए जायें। मैं यह दर्शाना करना चाहता हूँ कि क्या वह आफ़र खुशी है।

श्री मेहर बन्द लाला : नहीं, मेरे नोटिस के बाद वह आफ़र मातृत्व हो चुकी है।

वंदित ठाकुर बास भार्गव : मैं यह जानना चाहता हूँ कि क्या उस आफ़र को किसी तरह से नियमित लिया जा सकता है, जब कि वह उन का हक है क्यूंकि उन कवायद के जो दुइ मिनिस्टर ने बनाए हैं, और क्या यह मुमिन है कि उस आफ़र ने कुछ बोडी सी हात रो जादी कर दी जाय कि उन के लिए उन प्लाट्ट पर मकान बना कर दे दिए जायें?

श्री मेहर बन्द लाला : जहाँ तक आफ़र का तालुक है, वह तीत बरस शोतून रही। यदि रोटा दुकान का सौता सब बिक चुका है।

I may say in English that I have reached more or less the bankruptcy stage. अब मेरे पास कोई जीत नहीं रह गई है। आज से दो चार लाख मर्होन पेश्तर

लाजपत नगर मेरे पास या आफ़र करने के लिए, लेकिन आज लाजपत नगर में भी मामला खत्म ही गया है। इस कास्टे मेरे दूँड़ी कहाँ से दूँ ?

श्री इलाहीत सिंह : माननीय मंत्री जी ने अभी फरमाया कि जो वे लोग चाहते हैं, उसे वह दे नहीं सकते हैं और जो वह देना चाहते हैं, उसे वे लोग लेना नहीं चाहते हैं। मैं जानना चाहता हूँ कि वे क्या क्या बोडी हैं जो वे चाहते हैं और वे क्या क्या बोडी हैं जो मिनिस्टर साहब देना चाहते हैं ?

श्री मेहर बन्द लाला : जो वे चाहते हैं वह ऐसी बीन है जहाँ कि मिनिस्टरी इंस्टालेशंस बीबूद हैं और वे हट नहीं सकते हैं। मैं उनको लाजपत नगर में जरीन देना चाहता था जो कि दिल्ली में मेरे पास एक बेहतरीन कालोरी है, जहाँ स्कूलपृष्ठ है, अस्पताल है, कालेज है, गल्स कालेज है, एक लाल के करीब आवादी है और वहाँ शरणार्थी बसते हैं।

वंदित ठाकुर बास भार्गव : माननीय मंत्री जी ने फरमाया कि उनकी मिनिस्ट्री का दिवाला निकल चुका। लेकिन मैं अब उनका चाहता हूँ कि जहाँ तक उन लोटों का सवाल है, उनका रिहैबिलिटेशन नहीं हुआ है और हमारी गवर्नरेंट का दिवाला नहीं निकला है। इस लिए मैं पूछता चाहता हूँ कि क्या मिनिस्टर साहब नेहरबानी कर के ऐसे आदमियों को, जो कि कई बार आपके दिम्ने पढ़े हुए हैं, एक बार फिर आफ़र देते और उनको फिर बसाने की कोशिश करेंगे ?

श्री मेहर बन्द लाला : अब वह है कि अगर मैं निविद्वी को जारी रखता हूँ तो कहा जाता है कि विपटा रहता है मिनिस्ट्री को खत्म नहीं करना चाहता। अगर मिनिस्ट्री का काम खत्म करना चाहता हूँ तो कहा जाता है कि वह लोग रह गए हैं। मैं सिक्के इतना अब उनका चाहता हूँ कि वह मिनिस्ट्री या वह गवर्नरेंट जो कि दिल्ली में ४०-५० हजार

बुनिट्स बनाती है, २०-२५ करोड़ रुपये की इमारतें लड़ी करती है, क्या आर पांच सौ भाइयों का काम नहीं करना चाहती ? मेरी तकलीफ यह है कि वे मेरे बताये हुए गस्ते पर चलना नहीं चाहते, मेरे भाई, मुनना नहीं चाहते । ऐसी हालत में मैं करूँ तो क्या करूँ

पंडित ठाकुर दास भार्गव : मैं बतलाना चाहता हूँ कि दरध्यसल में वे सब के सब इस बात के स्वाभाविक मान्द हैं कि उनको बसा दिया जाए । आनेवल मिनिस्टर साहब के कहने के मुताबिक अगर वे बाहर भी निकल जाएं और अगर उनको कोई जगह भी दी जाएं जो कि लेना चाहते हैं, तो ऐसी हालत में क्या मिनिस्टर साहब फिर बारा इस हाउस की दरखास्त पर कोशिश करेंगे कि उनको बसा दिया जाए ।

श्री भेहर चन्द खन्ना : मैं ने स्पीकर नाहब के हुस्त के मुताबिक लास्ट टाइम यह माना था कि छः महीने की इडाजत दी जाए । मैं आज कोई नई एश्योरेंस देने के लिए तैयार नहीं हूँ क्योंकि असल में तकलीफ यह है कि अगर मूँ ने यकीन हो कि मेरी बात सुनने के बाद वे लोग वहाँ चले जाएंगे तो मैं कुछ कहूँ । इस काम में चार बरस तो गुजर चुके हैं । प्रातिर मेरी जिम्मेदारी है इस काम को करने की और मैं ज्यादा एश्योरेंस नहीं दे सकता हूँ ।

पंडित ठाकुर दास भार्गव : अगर आनेवल स्पीकर साहब से एश्योरेंस दिलवा दी जाए तो फिर क्या आनेवल मिनिस्टर साहब उसे बसाने की कोशिश करेंगे ?

श्री भेहर चन्द खन्ना : जब तक मैं रिह-बिलिटेशन मिनिस्टर हूँ, रिफूजीज को बसाना तो मेरा काम ही है ।

Shri S. M. Banerjee: Only one question, Sir, about the land.

Mr. Speaker: The hon. Minister has stated I have also interested myself.

Shri S. M. Banerjee: The hon. Minister has stated that the land which they wanted belonged to the Defence Ministry. My information is that the land has been taken over by the Housing Ministry. So, the land does not remain in the hands of the Defence Ministry. Now the land can be allotted to them. I want a categorical answer to this.

Mr. Speaker: It is not the Housing Ministry, it is the Rehabilitation Ministry here.

Shri S. M. Banerjee: No question of Defence.

Mr. Speaker: The hon. Members must persuade those people also.

Shri S. M. Banerjee: We are doing.

Mr. Speaker: They go round to everyone, and ultimately come to the Speaker also.

Shri S. M. Banerjee: They come to you also.

Shrimati Renu Chakravarty: The hon. Minister must reply to this.

Mr. Speaker: It is in the hands of the other Ministry. This Ministry is not able to do anything.

Shrimati Renu Chakravarty: He had said it could not be given because it was in the hands of the Defence Ministry and they want it for urgent public purposes, but it is in the hands of the Housing Ministry.

Mr. Speaker: If it is not in the hands of the Defence Ministry which may have overriding considerations to keep it, if they do not think it necessary to keep it for themselves and have handed it over to another civil Ministry, the Housing Ministry, why not the Rehabilitation Ministry take it over themselves again ?

Shri Mehr Chand Khanna: The Minister of Works is sitting here, his Deputy is also sitting here. I can only

offer what I have in my possession. I was prepared to offer land in Lajpat Nagar, I have no land left there. The only possible colony I can think of is Kalkaji, but I am making no offer.

Mr. Speaker: All that the hon. Members suggest is that as between these two Ministries, why not they decide this matter and hand it over to them.

Shri Braj Raj Singh: What are the reactions of the Housing Minister?

Mr. Speaker: The hon. Minister also may say something. How long is this trouble to be kept on? If it is possible, why not arrange between the two Ministries?

Shri Mehr Chand Khanna: You would remember, Sir, that last time when the question of this land came up, the Prime Minister was here, and he very categorically stated that the land which is required for defence purposes, where we may have our own military installations, cannot be given. I believe they have got wireless masts all over that area. It is required for defence purposes. But what I beg to submit, and what I want to tell the House through you, is only one thing. I see nothing wrong with Kalkaji, I see nothing wrong with Malavya Nagar. I see nothing wrong with Lajpat Nagar. Why not all my friends who try and persuade me persuade these gentlemen? If a lakh of people can live in Lajpat Nagar, 40 to 50 thousand can live in Kalkaji and Malavya Nagar. what is wrong that these friends cannot go there?

Shri S. M. Banerjee: Let a committee be appointed.

Pandit Thakur Das Bhargava: As a matter of fact, they are prepared to go there. Previously the hon. Minister offered them; then he said he would give them in another place. So, under this idea they were thinking that they would get some other place. Now they are quite ready to go to any place which the Govern-

ment offers to them. The responsibility of both the Ministries is the same. I would request both the Ministers to kindly come to their help and see that these people are rehabilitated and not thrown on the streets.

Mr. Mehr Chand Khanna: The question of the other Ministry does not arise. As far as these friends of mine are concerned, I offered them lands. I offered them built-up accommodation, I offered them cheap tenements. They wanted 100 sq. yards, I gave them 100 sq. yards each. Then it was represented to me that the families which have more than five members should be given 200 sq. yards. I agreed even to that. I even told them I was prepared to give them the benefits of the compensation scheme. If in spite of all the concessions that have been offered, they are not willing to come to any terms, a historical monument of the importance of Purana Quila cannot be allowed to become the property of the displaced persons, they have to go. Let me make a policy statement, you may accept my decision or not, but I cannot allow the Purana Quila which is a historical monument, regarding which there is constant pressure upon this Ministry to be in their possession; it shall have to be vacated.

Pandit Thakur Das Bhargava: There is no question of

Mr. Speaker: I am not going to allow a discussion of this matter

Pandit Thakur Das Bhargava: I am not discussing.

Mr. Speaker: I have allowed sufficient number of questions.

Pandit Thakur Das Bhargava: I only beg the Minister to come to their help and rehabilitate them. They are prepared to vacate.

Mr. Speaker: Shri D. C. Sharma:

Shri D. C. Sharma: Did a deputation of the residents of Purana Quila meet the hon. Minister?

Mr. Speaker: No, no. - am not allowing it. I asked him to put the next question.

All the same, I would appeal to the Rehabilitation Minister. If the property has been given away by the Defence Ministry to the Housing Ministry, why not the Rehabilitation Ministry take it up?

Shri Mehr Chand Khanna: There is some kind of misunderstanding. I got this land in Purana Quila, I believe from the Ministry of Education in olden times. There was a camp and we gave them temporary accommodation. Now, as far as I am personally concerned, I had land in Lajpat Nagar. If there is any other land belonging to the Defence or the Housing Ministry, that is not my concern.

Mr. Speaker: I am only appealing to the hon. Minister: He need not take it up by himself. Why not the Rehabilitation and the Housing Ministry settle it, if the Defence Ministry does not want it? That is what exactly has been said. I leave it to both the Ministries.

Shri C. K. Bhattacharya: We might have a half-hour discussion in which the three Ministries should take part.

Mr. Speaker: I would only appeal to all the three Ministries, because it is coming up again and again, the Defence, Rehabilitation and Housing Ministries, to sit together. If the Defence Ministry does not want it, let there be no kind of prestige in this matter. Let the matter be settled; once again the Housing Ministry may give it to the Rehabilitation Ministry.

The Minister of Defence (Shri Krishna Menon): This question is not addressed to me, but since I am present I may say I have no knowledge of our saying we want it or we do not want it.

Mr. Speaker: Very well, he might consider it.

Shri Mehr Chand Khanna: May I submit one thing for the information

of the House, that before these notices were issued, this matter was before the Cabinet where all the Ministries were represented, and it is on the decision of the Cabinet that action was taken.

Pandit Thakur Das Bhargava: These people even went to the hon. Prime Minister; and they asked Government to give them houses. Fifty houses were offered, but they were not subsequently given.

Mr. Speaker: Next question.

Indians Kidnapped by Pakistanis

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*621. { **Shri D. C. Sharma:**
 { **Shri Pangarkar:**

Will the Prime Minister be pleased to state:

(a) the number of Indian nationals kidnapped so far by Pakistanis from the Indian side of the West Bengal-East Pakistan border since August, 1959;

(b) the number of Indians out of them released so far; and

(c) the action taken for getting the release of the rest of them?

The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika): (a) and (b). 8 (eight) out of which 4 (four) have been released.

(c) Both the State and Central Governments are actively pursuing the question of release of the remaining Indian nationals with the Government of East Pakistan in accordance with the agreed decisions taken at the last Chief Secretaries' Conference held at Calcutta and the Minister-level Conference on "Indo-East Pakistan Border Problems" held at Delhi and Dacca.

Shri D. C. Sharma: May I know whether there has been an increase or decrease in the number of persons kidnapped, as compared with that during the corresponding period in 1958?

Shri J. N. Hazarika: During the period which the hon. Member has mentioned, 32 persons were kidnapped or arrested, of whom 16 persons have been released. Before that period, as many as 23 persons were arrested in West Bengal, but they are still in detention.

In Assam, 10 persons were arrested during that period. After that period, three persons were released subsequently; then, again 3 persons were arrested or kidnapped in Assam; altogether, the number was 10 in Assam.

As for Tripura, 14 persons are still in detention, under the East Bengal Government.

Shri D. C. Sharma: May I know whether the Pakistan Government have made any similar complaint about their nationals being kidnapped or harassed by the Indian Government?

Shri J. N. Hazarika: This question of kidnapping and arrests between the two countries was discussed at the Chief Secretaries' Conference in August-September, 1958; this was discussed also at the last conference held between the Chief Secretaries at Calcutta. Then, again, the Minister-level conference also discussed this question thoroughly, and certain rules have been framed, under which these questions about kidnapping and arrests have to be settled.

Shri Hem Barua: As for these Indians kidnapped who are still in the custody of Pakistan, may I know what arguments Pakistan is advancing regarding their continued detention?

Shri J. N. Hazarika: In the conference held between the Chief Secretaries last year, it was decided that all the persons detained should be released, but since that did not move well, therefore, this matter was again discussed this year also, as I stated earlier.

Shri Hem Barua: These Indians are still in the custody of Pakistan.

Mr. Speaker: The Parliamentary Secretary had stated that no arguments were advanced; it was decided that those persons should be returned, but they have not done so.

Shri Hem Barua: Even after the discussion, these Indians have not yet been returned. The Pakistan Government must have some reasons for detaining them in this manner, even after that conference.

Mr. Speaker: Have they disclosed any reasons? Has the Parliamentary Secretary been able to find out any reasons from them?

Shri J. N. Hazarika: Incidents of this kind took place between the two countries because of the uncertain boundary demarcation.....

Mr. Speaker: The question that has been asked is a limited one. Notwithstanding the fact that they agreed to return, what is it that prevents them from returning those persons? That was the only question.

Shri J. N. Hazarika: As I have pointed out, the Government of India and the State Governments are pursuing this matter through our Deputy High Commissioner at Dacca, and the latest position is that after that, no persons in detention have been released by Pakistan.

Shrimati Renu Chakravarty rose—

Mr. Speaker: Any further questions are not going to improve the situation. Next question.

Food and Agriculture Portfolios in States

*622. **Shri C. K. Bhattacharya:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that a suggestion was made by him that the agriculture and food portfolios in the States should be taken over by the Chief Minister himself or be delegated to a Cabinet Sub-Committee with the Chief Minister as the Chairman; and

(b) if so, how many States have put the suggestion into effect?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Yes; the Prime Minister laid stress on the importance of the Agriculture and Food portfolios in the States and suggested that this should be under the charge of a senior Minister or the Chief Minister himself or should be supervised by the Cabinet Sub-Committee of which the Chief Minister is the Chairman.

(b) It is not known precisely as to how many State Governments have given effect to this suggestion. The Chief Ministers have, however, stated that in view of the importance of the subject, they are taking special interest in it, even though the portfolio might be held by some other Minister.

Shri C. K. Bhattacharya: May I know by what time the Ministry will be in a position to let us know whether the suggestion made by the Prime Minister has been accepted and acted upon by the States?

Shri Sadath Ali Khan: I have just stated that the Chief Ministers attach importance to the Prime Minister's suggestion, and they are taking special interest in it. I think if there are going to be any changes, it will take a little time.

Shri Hem Barua: There are three parts of the suggestion made by the Prime Minister to the Chief Ministers; one is that the Chief Minister should himself take up the portfolio; the second was that some senior members of Cabinet should take up the portfolio; the third was that some Cabinet sub-committee must be appointed. The Parliamentary Secretary has replied to only one part of that suggestion by saying that the Chief Ministers assured the Government of India that they were taking interest. What about the rest of the suggestions?

Shri Sadath Ali Khan: It was left to the Chief Ministers. That was a suggestion by the Prime Minister; it was not an order or anything of that

kind. The Chief Ministers are taking interest in it.

Shri Vidya Charan Shukla: May I know whether this suggestion of the Prime Minister was formally conveyed to the Chief Ministers of the various States, or it was only an informal suggestion for consideration?

Shri Sadath Ali Khan: I am unable to say whether he conveyed it personally to the Chief Minister or in writing.

Shri Vidya Charan Shukla: May I know whether it was formally conveyed by the Government of India to the Chief Ministers, or it was just a casual statement at a press conference or a public meeting?

Shri Sadath Ali Khan: It was an informal suggestion.

Shrimati Renu Chakravarty: May I know whether it is proposed to find out the situation in the different States, and whether any of the three alternative suggestions has been accepted by any of the States?

Shri Sadath Ali Khan: We are awaiting the reply from the States, and when we hear from them, we shall let the House know.

Paper Manufacturing Machinery

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*624.	Shri Pangarkar:
	Shri Subodh Hansda:
	Shri S. C. Samanta:
	Shri R. C. Majhi:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 32 on the 3rd August, 1959 and state at what stage stands the proposal for the production of paper manufacturing machinery in our country with foreign collaboration?

The Minister of Industry (Shri Manubhai Shah): A statement is laid on the Table of the House. [See Appendix II, annexure No. 76.]

Shri Pangarkar: May I know the present requirement of paper and pulp manufacturing machinery in our country?

Shri Manubhai Shah: It is about Rs. 35 crores during the Second Five Year Plan.

Censor Code

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Shri Warior:
*625. { Shri T. B. Vittal Rao:
Shri Kodiyan:

Will the Minister of Information and Broadcasting be pleased to state:

(a) whether Government have enlarged the scope of the Code prescribed for the use of film censors;

(b) if so, what are the new clauses added; and

(c) whether Government have received any representation from film producers regarding these additions?

The Parliamentary Secretary to the Minister of Information and Broadcasting (Shri A. C. Joshi): (a) and (b). A copy of the directions issued by the Central Government setting out principles for the guidance of the Board of Film Censors in sanctioning films for public exhibition is laid on the Table of the House. [See Appendix II, annexure No. 77]. The additions made recently have been ringed in red pencil.

(c) Yes, Sir. The matter is under consideration.

Shri Warior: May I know the nature of the representation made by the film producers in this respect?

The Minister of Information and Broadcasting (Dr. Keskar): The additions that have been made, as the hon. Member may have seen from the statement supplied, are in the second category, which are by way of illustration; that is, some events or incidents may in certain circumstances be considered objectionable; these additions are in the nature of illustrations.

But the producers have represented that this is liable to create a wrong impression, and this particular suggestion might be more generalised, and might lead to injustice to them. We are examining the matter now.

Shri T. B. Vittal Rao: Before the Code was modified, certain films were already certified. Will they be re-certified according to the modified rules?

Dr. Keskar: No, that is not possible under the law.

Shri Hem Barua: May I quote from a book and ask a supplementary question? It is from Andre Gide's *Corydon*.

"I am sure that the shameless stimulus of pictures, theatres, musical halls and many papers only serve to distract the woman from her duties to turn woman into a perpetual sweetheart who will no longer consent to motherhood".

In the directions which are sent, this is not included. What steps are Government going to take to stop this damage done to our society?

Mr. Speaker: The hon. Member is reading out from a book. Possibly the hon. Minister is not aware of it.

Shri Hem Barua: This particular thing relates to pictures.

Mr. Speaker: Hon. Members may send such suggestions to the hon. Minister instead of making them on the floor of the House.

Shri Tangamani: I find that the new list that has been added includes 'loathsome diseases' also. Am I to take it that portions of any films where a particular character is afflicted with such loathsome diseases will have to be deleted?

Dr. Keskar: I said at the very outset that these were really put in by way of illustration that certain exhibition of certain things might become objectionable. That does not

mean that exhibition of any person with a loathsome disease becomes objectionable. It is exactly on this that the producers have represented that putting them even as an illustration might lead to misunderstanding. We are considering it very seriously.

Mr. Speaker: The Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

Government-built Houses, Tilak Nagar

***623. Shri Ajit Singh Sarhadi:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether it is a fact that a large number of Government-built houses have been auctioned to displaced persons in Tilak Nagar locality in New Delhi;

(b) if so, whether it is not a fact that most of them are in possession of trespassers; and

(c) what steps have been taken to give possession to the purchasers?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) Yes.

(b) Yes, some are in the occupation of unauthorised persons.

(c) In the case of those tenements of which the sale is not being confirmed, the question of giving possession to the purchasers does not arise. The other houses were sold to the purchasers as they were and their provisional possession has already been given to the auction purchasers. It is now for the new owners to evict the trespassers.

सोप स्टोन खान में दुर्घटना

***626. श्री सरजू पाण्डे :** क्या अम और रोजगार रंगी ३ अगस्त, १९५६ के ताराकित प्रश्न संख्या ६ के उत्तर के सम्बन्ध

में एक ऐसा विवरण समाप्ति पर रखने की हुगा करेंगे कि जिस ने यह जानकारी दी गई है कि जान एक्ट की विभिन्न वारांओं के प्रत्यर्पित सोप स्टोन खान के मालिक के विद्वा की गई कार्रवाई का क्या परिणाम निकला ?

अम उपमंत्री (श्री आविद अली) : अदालत न भरा कैसा नहीं किया ।

Unsold Stock of Khadi

***627. Shri Bibhuti Mishra:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that upto the 26th September, 1959 khadi worth rupees five crores remained unsold;

(b) if so, the reasons therefor; and

(c) the steps taken by Government to sell the unsold khadi?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). It is estimated that khadi worth Rs. 4 to Rs. 5 crores was lying unsold with various institutions. This was mainly due to the sales not keeping pace with the increase in production.

(c) Additional rebate of 6 np. in a rupee was given for a period of six weeks with effect from 2nd October, 1959. The institutions concerned also gave a further rebate of 6 np. per rupee during the period from the margin of profits allowed to them. It is expected that with this additional rebate of 12 np. per rupee the unsold stock would have been cleared to a very great extent.

Mobile Exhibition

+ Shri Inder J. Malhotra:
Shri Ram Krishan Gupta:
***628. { Shri Padam Dev:**
Shri P. C. Borooah:
Shri Ramji Verma:

Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that the Directorate of Advertising and Visual

Publicity has put a mobile exhibition in a special Railway carriage;

(b) if so, how many such Railway carriages are on the move, at present, in different parts of the country;

(c) what areas have been covered by these exhibition carriages up till now;

(d) the expenditure incurred in equipping and arranging the exhibition; and

(e) whether Government have any plan to increase the number of such exhibition carriages?

The Minister of Information and Broadcasting (Dr. B. V. Keskar): (a) Yes, Sir.

(b) Only one.

(c) Upto the 30th November 1959, the Exhibition-cum-cinema Railway Coach has covered 30 way-side stations in Rajasthan, Madhya Pradesh and Bombay State.

(d) The Coach was made available to the Directorate of Advertising and Visual Publicity by the Railway Board. It has been equipped at an approximate cost of Rs. 18,000. The running expenses of the Coach are estimated at Rs. 18 per exhibition day, excluding pay and allowances of the accompanying staff.

(e) Subject to experience gained from this Coach, it is intended to provide one Coach on each of the Railway zones and one on the Metre Gauge in the coming years.

Trade Agreement between India and Indonesia

*629. **Shri Khimji:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the trade agreement between India and Indonesia is due to expire shortly;

(b) if so, whether Government have any proposal for the renewal of the trade agreement;

(c) whether any special measures are being taken to increase export of cotton textiles and yarn to Indonesia;

(d) whether the export of yarn to Indonesia is being handled mainly by the State Trading Corporation; and

(e) if so, the reasons therefor?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) The agreement is due to expire on the 31st December, 1959.

(b) The matter is under consideration.

(c) The State Trading Corporation has been asked to explore with the help of its business associates the possibilities of increasing exports of cotton textile, yarn, and other Indian products to Indonesia.

(d) No, Sir. An Indonesian import firm, however, placed an order with the State Trading Corporation in June this year for the supply of 12,500 bales of cotton yarn.

(e) Does not arise.

Coir Industry

*630.	Shri Narayananankutty
	Menon:
	Shri Punnoose:
	Shri Kodiyan:

Shri V. P. Nayar:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether any reduction has been made in the allotment for development of the Coir Industry during the Second Five Year Plan period;

(b) if so, what is the extent of reduction and what are the reasons therefor; and

(c) whether any representation has been made by the Government of Kerala against the reduction in allotment?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

Originally a provision of Rs. 1.0 crore was made in the 2nd Five Year Plan for development of Coir Industry—Rs. 0.7 crore for schemes to be implemented by the State Governments and Rs. 0.3 crore for Central schemes to be implemented by the Coir Board. The Kerala Government represented for increased allotment for coir industry for the reason that Coir was the most important Cottage industry of the State. The overall provision was therefore increased to Rs. 2.3 crores—Rs. 2 crores for States' schemes and Rs. 0.3 crore for Central schemes. However, consequent on the reappraisal of the overall resources, the Five Year provision for Coir Industry was reduced to Rs. 1.76 crores—Rs. 1.48 crores for States' schemes and Rs. 0.28 crore for Central schemes. State-wise allocation of the revised provision of Rs. 1.48 crores have not been made as the State Governments' requirements are now considered on Annual basis.

(c) No representation has been received from the Govt. of Kerala regarding the allocations.

Export of 'Animal Casings'

*631. Pandit D. N. Tiwary: Will the Minister of Commerce and Industry be pleased to state:

(a) whether there has been a total stoppage in the export of 'animal casings' in recent years; and

(b) if so, the reasons for the same?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):
(a) No, Sir.

(b) Does not arise.

Hindustan Machine Tools, Ltd.

Shri N. R. Muniswamy:
Shri Narayananarkutty
Menon:
Shri Punnoose:
Shri L. Achaw Singh:
Shri Ram Garib:
Shri Karni Singhji:
Shri Bhanja Deo:

Will the Minister of Commerce and Industry be pleased to state:

(a) the nature of agreement recently entered into between Hindustan Machine Tools Ltd., and an Italian firm in respect of manufacture of cylindrical grinding machines in Hindustan Machine Tools Ltd.;

(b) what would be the price of grinding machine produced by the Hindustan Machine Tools Ltd., as compared to the landed cost of imported equivalents; and

(c) when is its manufacture to commence?

The Minister of Industry (Shri Manubhai Shah): (a) A statement giving a summary of the more important features of the agreement is laid on the Table of the House. [See Appendix II, annexure No. 78.]

(b) The selling prices of Grinding Machines produced in the Hindustan Machine Tools is expected to be below the landed cost of imported equivalents based on preliminary data of production.

(c) The first batch of these machines is expected to be produced by the end of March 1960.

Data regarding Small Scale Industries

*633. { Shri M. B. Thakore:
Shri Oza:
Shri K. U. Parmar:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government is contemplating to obtain detailed co-ordinated statistical data about the Small Scale Industries, which is at present not available; and

(b) if so, what steps Government are taking in this regard?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A statement is given below.

STATEMENT

The following steps have been taken:—

(i) It has been decided that all Small Scale Industrial Units employing 10 or more workers should get themselves registered under the Industries (Development and Regulation) Act with the State Directors of Industries and submit quarterly statistical returns in prescribed forms.

(ii) A Standing Committee on Statistics has been constituted to review the existing condition of available statistical information, to recommend co-ordination and integration in the collection of statistics by the Centre and the States, and to consider long term measures for collecting statistics in a co-ordinated manner.

Khadi and Village Industries Board

*634. { Shri Kodiyan:
Shri Narayananarkutty Menon:
Shri V. P. Nayar:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Kerala Khadi and Village Industries Board have now decided to reduce the salary of Ambar Charkha instructors, by about Rs. 10 each and also to close down Neera Bhavans in Kerala;

(b) how many Neera Bhawans exist at present under the State Boards in Madras and Bombay; and

(c) the number of tappers who will become unemployed consequent on the closure of Neera Bhavans?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House. [See Appendix II, annexure No. 79.]

Lean Gas Plant, Sindri

*635. Shri Aurobindo Ghosal: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1888 on the 18th April, 1959 and state:

(a) whether the lean gas plant of Sindri Fertilisers and chemicals Ltd. has since started producing its guaranteed capacity; and

(b) if not, the reasons therefor?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) The Lean Gas Plant has not yet been taken over by the Sindri Management as the contractors have not been able to demonstrate that the plant can produce gas to the designed capacity.

(b) There are some defects in the construction of the plant which make it difficult to run it at a high rate for prolonged periods. The question of removing these defects is under discussion with the contractors.

Irregularities in Issue of Passports

636. { Shrimati Ila Palchoudhuri:
Shri Aurobindo Ghosal:
Shri S. A. Mehdhi:
Dr. Gangadhara Siva:
Shri H. N. Mukerjee:

Will the Prime Minister be pleased to state:

(a) whether Government of India's attention has been drawn to a report appearing in 'Statesman' dated the 31st October, 1959, to the effect that about 300 Indian nationals due to disembark at Genova (Italy) on the 30th October, 1959 en route to Britain were prevented from landing by the Italian Police because of certain faults and irregularities in their passports;

(b) if so, the facts of the matter; and

(c) the steps taken by the Government of India in regard thereto?

The Deputy Minister of Affairs (Shrimati Lakshmi Menon):
(a) Yes.

(b) and (c). About 300 persons of Indian origin travelling on Indian and U.K. and Colonies passports arrived at Genoa on board ss ROMA on 29-10-1959. The Italian Immigration authorities checked their passports and found that 138 of them were travelling on forged passports. The remaining 162 persons were allowed to land. Some of the latter had, at first, difficulty in obtaining visas for transit through France but transit facilities through France and facilities for entry into the U.K. were later arranged and they reached the United Kingdom.

The 138 persons whose passports were found invalid by the Italian authorities were at first refused permission to land. Later, the Italian authorities allowed them to disembark from the ship but detained them. These 138 persons are still in Italy where they have been placed by the Italian Government in two camps. Discussions are proceeding between the Government of Italy and the Government of India in regard to these persons.

Manganese Ore Trade

***637. Shri Vidya Charan Shukla:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to S'arred Question No. 531 on the 23rd February, 1959 and state:

(a) how many offers of contingent contracts have been received from the mine owners with reference to the recommendation made by the Committee for promotion of manganese ore trade to the effect that the State Trading Corporation and shippers should enter into contingent contracts with mine-owners; and

(b) the result of the consideration given to such offers?

The Minister of Commerce (Shri Kanungo): (a) None.

(b) Does not arise.

Export of Iron Ore

***638. Shri Kalika Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) the tonnage of iron ore for export to Japan agreed to be lifted during the year 1959-60;

(b) whether there is not adequate demand for iron ore in the internal market by manufacturers in the public and private sectors; and

(c) whether the price agreed to be charged from parties in Japan is reasonable.

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):
(a) About 22 lac tons.

(b) Internal demand of iron ore both at present and in the foreseeable future is small compared to vast reserves available in the country.

(c) Yes, Sir.

Middle Income Group Housing Scheme

***639. Dr. Ram Subhag Singh:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that loans drawn by various State Governments in 1958-59 and this year so far from the Life Insurance Corporation under the Middle Income Group Housing Scheme have been utilized only by a few States; and

(b) if so, the reasons therefor?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). The Middle Income Group Housing Scheme was finalised and intimated to State Governments only in February, 1959, and funds released to them in March, 1959. It was necessary for the State Governments to complete certain preliminaries such as formulation of Rules, and organising the method and machinery for the administration of the Scheme, before they could commence disbursement of loans. Many of the State Governments have already

completed these preliminaries and it is expected that they would be able to utilise the funds already allocated to them, by the end of the current year.

Dalai Lama

***640. Shri Rameshwar Tantia:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Dalai Lama is to move elsewhere from Mussoorie during the winter;

(b) if so, where will he spend the winter; and

(c) what arrangements have been made in this regard?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) to (c). The Dalai Lama will be proceeding on a tour of Buddhist pilgrim centres and other places in India for a period of about two months beginning early this month. Nothing has been decided about his move from Mussoorie for permanent stay.

Rajen Textile Mill Sholapur

***641. Shri Sonavane:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Rajen Textile Mill (Private) Ltd., in Sholapur District of Bombay State is still closed;

(b) whether there is any scheme to re-open the Mill;

(c) if so, the nature thereof; and

(d) when it is to be re-started?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) to (d). The closure of the mills was due to its uneconomic working and financial losses. Renovation of machinery in the mills is considered essential before it can be re-opened. The mill has applied in this connection to National Industrial Develop-

ment Corporation Private Ltd., and the State Government for financial assistance.

Allotment of Shops in Government Colonies in Delhi

***642. Shri Ram Garib:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) the mode of allotment of shops in the newly constructed shopping centres in the colonies in Delhi where Government employees are residing;

(b) whether displaced persons only will be eligible for allotment of these shops; and

(c) if not, what categories of persons will be eligible for allotment?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). Allotment of shops in the Government colonies in Delhi will be made to such eligible displaced persons as are recommended by the Ministry of Rehabilitation except for a very few shops which may be required for allotment to Milk Distribution Centres, Welfare Centres, Post Offices, etc. A Committee of officers of the Ministries and Municipal bodies concerned has been set up to determine priorities.

(c) Does not arise.

Pakistani Intruders in Jammu

***643. { Shri P. C. Borooh:**
Shri Ram Krishan Gupta:
Shrimati Maida Ahmed:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that a gang of Pakistani intruders killed an Indian woman near the border at Chamba about 40 miles from Jammu according to a report published in the Hindustan Times dated the 21st November, 1959; and

(b) if so, the details thereof and the action taken in the matter?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadash Ali Khan): (a) and (b). On November, 18, 1959, two residents of Pakistan-occupied Kashmir crossed the cease-fire line about 23 miles southwest of Akhnur and killed an old woman about 250 yards on our side of the cease-fire line.

On receipt of fuller details which are being obtained from the Government of Jammu and Kashmir, the question of lodging a protest with the Government of Pakistan will be considered.

Corporations for Small Scale Industries

*644. { Shri Ram Krishan Gupta:
Shri Ajit Singh Sarhad:
Sardar Iqbal Singh:
Shri A. M. Tariq:
Shri R. C. Majhi:
Shri Subodh Hansda:

Will the Minister of Commerce and Industry be pleased to refer to his statement made in the Lok Sabha on the 29th August, 1959 and state:

(a) whether the scheme for establishment of a Corporation for Small Scale Industries in each State has been finalised;

(b) if so, the details of the same; and

(c) names of States where corporations have been set up so far?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is given below.

STATEMENT

Different States are taking steps in this matter and the final picture will be known by 31st March, 1960. The main functions of these Corporations will be to organise the sale of goods produced by small industries and supervision and management of the Industrial Estates.

Mechanical Precision Toys

*645. { Shri Subodh Hansda:
Shri S. C. Samanta:
Shri R. C. Majhi:
Shri Kameshwar Tantia:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the production of the mechanical Precision Toys at Kalyani in West Bengal has started;

(b) if not, the reasons therefor;

(c) whether Japanese Experts have come to train the people in that plant; and

(d) if so, how many people are now undergoing training?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). A statement is given below.

STATEMENT

Production of mechanical toys at the Kalyani Co-operative Toy Society has not yet started. The unit began in a preliminary way on the 14th June, 1959. Since then it has been engaged in designing and fabricating dies and tools necessary for fabricating the individual component parts of (1) light-cum-cooler; and (2) cable car. The regular production is expected to begin in early 1960.

No Japanese experts have yet come but the society is negotiating for some experts.

Soda Ash Factory in U. P.

*646. { Shri S. M. Banerjee:
Shri Panigrahi:

Will the Minister of Commerce and Industry be pleased to state the progress made towards establishment of a Soda Ash Factory in Uttar Pradesh?

The Minister of Industry (Shri Manubhai Shah): It is presumed that the Hon'ble Members are referring to

the undertaking established at Mogal Sarai near Varanasi in Uttar Pradesh under the name of Sahu Chemicals. This factory commenced trial runs in August, 1959, for production of soda ash and is expected to reach full production in early 1960.

Naga Hostiles

*647. { Shri D. C. Sharma:
Shri Warior:
Shri N. M. Deb:
Shri Kodiyan:
Shrimati Mafida Ahmed:
Shri Hem Barua:

Will the Prime Minister be pleased to lay a statement showing:

(a) the number of Naga rebels who have been captured during the period from the 1st August to the 30th November, 1959;

(b) the description and make of arms captured from them;

(c) whether there were any marks of the manufacturing concern or country on the arms recovered; and

(d) if so, the details thereof?

The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika): (a) 315 Naga hostiles were arrested during the period 1st August to 19th November, 1959.

(b) These include one Sten gun, rifles and Shot guns of different calibre.

(c) and (d). We have no definite information about the country of manufacture in regard to the captured weapons. Some of them, however, are of local manufacture. Many were retrieved by the Nagas from the arm-dumps that were left behind in the NHTA and Manipur during the last war.

Clinical Thermometers

*648. { Shri Pangarkar:
Shrimati Parvathi Krishnan:
Shri Nagi Reddy:
Shri Warior:
Shri Ram Krishan Gupta:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 439 on the 14th August, 1959 and state:

(a) whether the scheme for the manufacture of clinical thermometers in collaboration with a Japanese firm has since been finalised;

(b) if so, the total estimated expenditure; and

(c) what are the terms of collaboration?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). The scheme of collaboration of National Instruments Limited with the Japanese firm is expected to be approved shortly.

Setting up of Factories

*649. **Shri Harish Chandra Mathur:** Will the Minister of Commerce and Industry be pleased to state:

(a) the steps taken by Government to enable the engineers and technicians to set up and own their factories; and

(b) the nature of the scheme and number of such units set up?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). Assistance from Government for starting Small Scale Industries are available to engineers and technicians. Government give preference to engineers and technicians to set up their own units.

Federation of Small Scale Industries

*650. **Shri Khimji:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have taken a decision to establish a Federation of Small Scale Industries;

(b) whether it is proposed to give financial assistance for the establishment of this Federation; and

(c) if so, the amount of assistance that is proposed to be given?

The Minister of Industry (Shri Manubhai Shah): (a) The Associations of Small Scale Industries from different places have formed a Federation of Associations of Small Industries of India in September, 1959.

(b) and (c). The matter is under consideration.

Ceramic Factory in Jammu and Kashmir State

*651. **Shri Rameshwari Tantia:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that a Ceramic Factory is proposed to be established in Jammu and Kashmir State; and

(b) if so, whether any foreign help has been sought for the project?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) The help of two Czechoslovakian technicians is being sought in the erection and initial operation of the factory.

Speeches and Writings of Netaji Subhash Bose

*652. { **Shri Ram Krishan Gupta:**
{ **Shri D. C. Sharma:**

Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Starred Question No. 1175 on the 4th September, 1959 and state the further progress made with regard to the publication of a collection of speeches and writings of Netaji Subhash Chandra Bose?

The Minister of Information and Broadcasting (Dr. Keskar): Collection of material for the publication continues. A selection of about 50 speeches

and writings has however been approved by the Advisory Committee constituted for the purpose. Sources that are likely to provide further material for the publication are also being tapped.

Export of Tea

Shri Subodh Hansda:
Shri S. C. Samanta:
Shri R. C. Majhi:
Shri Hem Barua:
Shri Rameshwari Tantia:
Shri Kalika Singh:
Shri P. C. Borooh:
Shri Tangamani:
Shri Ramam:
Shri Nagi Reddy:
Shri D. V. Rao:
Shrimati Parvathi Krishnan:

*653.

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Indian tea is losing its market in European countries;

(b) if so, the reasons therefor; and

(c) what steps Government propose to take or have taken in the matter?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) to (c). Tea exports to various countries including European countries fluctuate from year to year. During January—August, 1959, exports to some European countries were higher as compared to the corresponding period of the previous year and declined in the case of others. The shortfall occurred during the earlier months of 1959 mainly due to accumulation of stocks in the U.K. and also due to non-availability of sufficient quantities of Indian teas which are commonly in demand in the export markets.

Central Government Employees in Madhya Pradesh

*654. { **Shri S. M. Banerjee:**
Shri Panigrahi:

Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether Central Government Employees in Madhya Pradesh have been asked to pay higher house rent by the Madhya Pradesh Government;

(b) if so, the reasons for this increase; and

(c) the steps taken by Government in this matter?

The Deputy Minister of Works Housing and Supply (Shri Anil K. Chanda): (a) and (b). There existed a reciprocal arrangement between the erstwhile Government of Central Provinces and the Government of India according to which an officer of one Government in occupation of the residence of the other Government, under official arrangement, was to be charged concessional rent at normal rates. After the reorganisation of the States, the Madhya Pradesh Government withdrew from this convention and decided to charge standard rent which is higher than Concessional Rent from 1st November, 1956 from Central Government officers occupying residences, belonging to Madhya Pradesh Government.

(c) The Central Government officers occupying residences under official arrangement would be required to pay normal concessional rent and the difference between the rent claimed by the State Government and the rent paid by the officers would be met by the Central Government.

Indo-Pakistan Copyright Agreement

*655. { **Shri D. C. Sharma:**
Shri Ajit Singh Sarhadi:

Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 1016 on the 1st

September, 1959 and state the further progress since made in regard to the conclusion of proposed Copyright Agreement between the Governments of India and Pakistan?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): There have been no further developments, as the Government of Pakistan have not completed consideration of amendment of their existing law of Copyright.

Assistance to Small Newspaper Units

*656. **Shri Harish Chandra Mathur:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether Government give any assistance—financial or otherwise—to small Newspaper units for their sustenance and healthy growth;

(b) whether Government's attention has been drawn to a statement and representation by General Secretary, All India Hindi Newspapers Association; and

(c) what is Government's reaction in the matter?

The Minister of Information and Broadcasting (Dr. Keskar): (a) to (c). The Government of India do not give financial assistance to newspapers. No representation has been received from the General Secretary, All India Hindi Newspapers' Association, but his statement, as appeared in the Press, has come to their notice. Government give careful and sympathetic consideration to the difficulties of small newspapers and are doing whatever they can to help them.

Export Licences

1005. **Shri Ram Krishan Gupta:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total number of applications received regarding the grant of export licences during 1959-60 so far; and

(b) the total number of appeals received out of them and how many of these appeals are still pending?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) 43,103 (upto 6th November, 1959).

(b) Nil.

Import Licences

1006. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state the value of outstanding import licences issued for Public as well as Private Sectors during 1958-59 and 1959-60 so far?

The Minister of Commerce (Shri Kanungo): A statement is given below.

STATEMENT

1. The import commitments by the public sector including State-owned industries for the import of developmental equipments as outstanding on 1st October, 1959 amount to Rs. 243 crores.

2. The outstandings on capital goods licences issued to the private sector as on 1st October, 1959 is estimated at Rs. 135 crores.

3. Figures of outstanding commitments on import licences for the maintenance of the economy are not readily available.

Production of Khadi in Bombay State

1007. Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of khadi produced in Bombay State in 1958-59 (month-wise); and

(b) the target fixed for the production of khadi during 1959-60 in Bombay State?

The Minister of Industry (Shri Manubhai Shah): (a) A statement containing the required information is laid on the Table. [See Appendix II, annexure No. 80]

(b) 45 lakh sq. Yards.

Industrial Development of Bombay State

1008. Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state the total amount allocated to the Government of Bombay for the industrial development of the State during the Second Five Year Plan period and the amount spent so far?

The Minister of Industry (Shri Manubhai Shah): The information is being collected and will be placed on the Table of the House in due course.

Handloom Industry in Bombay

1009. Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have received any proposals from the Bombay State for giving assistance to the Handloom Industry of the State during the year 1959-60 so far;

(b) if so, the details of the proposal; and

(c) the action taken thereon by Government?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) and (c). Two Statements are laid on the Table. [See Appendix II, annexure No. 81].

Aid for Technical Training in Bombay State

1010. Shri Pangarkar: Will the Minister of Labour and Employment be pleased to state:

(a) the amount given as grants-in-aid to the Bombay State for the development of technical training during 1959-60 so far; and

(b) the heads on which it is to be utilised?

The Deputy Minister of Labour (Shri Abid Ali): (a) A sum of Rs. 25.735 lakhs has been provided in the Revised Estimates to be given as grant-in-aid to Bombay during 1959-60 for the development of Technical Training. The aid will be actually adjusted towards the end of the financial year against the Ways and Means Advances.

(b) For the training of Craftsmen.

Code of Discipline

1011. Shri Pangarkar: Will the Minister of Labour and Employment be pleased to state:

(a) the number of complaints received by Government since January, 1959 from employers charging the labourers for violation of the Code of Discipline; and

(b) the action taken on all those complaints?

The Deputy Minister of Labour (Shri Abid Ali): (a) 155.

(b) (i) violations were brought to the notice of the parties and/or settlements brought about in 40 cases;

(ii) 45 cases, being in State Sphere were referred to the respective State Governments for action;

(iii) No action was called for in 37 cases as these were originally addressed to State Governments or other authorities and copies were forwarded to the Ministry.

(iv) 2 complaints were against unions not covered by the Code;

(v) In 3 cases the subject matters of the complaints were under adjudication;

(vi) 4 complaints were not substantiated on enquiry;

(vii) 24 complaints are under investigation.

Accounts of the Liquidated Company

1012. Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 1127 on the 20th August, 1959 and state:

(a) whether the liquidator of Janta Motor Service Corporation, Limited has filed the required statements and returns within the time mentioned in the default notices issued to him; and

(b) if not, whether he has been prosecuted?

The Minister of Commerce (Shri Kanungo): (a) Yes, but they were returned for reconciliation of the discrepancies noticed in them. The returns were not thereafter resubmitted.

(b) Steps are being taken to prosecute him.

Vacancies Notified in Orissa State

1013. Shri Panigrahi: Will the Minister of Labour and Employment be pleased to state:

(a) the total number of vacancies notified in public and private sector industries during the year 1958-59 in Orissa State; and

(b) the number of mines closed down in Orissa during this period?

The Deputy Minister of Labour (Shri Abid Ali): (a) Number of vacancies notified to Employment Exchanges during April, 1958—March 1959:

Public sector	11,390.
Private sector	2,683
Total	14,073

(b) Complete information is not available.

Indian Property in East Pakistan

1014. Shri D. C. Sharma: Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 1140 on the 20th August, 1959 and state:

(a) the action taken so far on the memorandum received from the

Indian owners of movable and immovable properties in East Pakistan;

(b) the progress made in getting the demands conceded by the Pakistan Government; and

(c) when it is likely to be settled finally?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). The Board of Revenue, Government of East Pakistan have now replied that the affected landlords should represent their cases initially to the Revenue Officers or Collectors in the Districts where their properties are situated and prefer their appeals, where necessary, with the Board of Revenue which is also a Revenue court. They have further promised to continue to give visa facilities to absentee landlords to visit East Pakistan in all genuine cases.

The Indian Deputy High Commissioner has also requested these Indian landlords to furnish him with full details of rejection of cases so that he can pursue the matter with the Government of Pakistan. He has also advised them on the desirability of opening non-resident or blocked accounts in scheduled banks in accordance with the regulations of the State Bank of Pakistan.

(c) The negotiations are continuing and we cannot say when the question will be settled.

Small Engineering Goods

1015. Shri D. C. Sharma: Will the Minister of Commerce and Industry be pleased to state:

(a) the steps taken by the Development Council to explore markets for Indian small engineering goods in foreign countries during 1959 so far; and

(b) the result achieved so far?

The Minister of Industry (Shri Manubhai Shah): (a) The Development Councils constituted under the provisions of the Industries (Develop-

ment and Regulation) Act have set up Export Promotion Committees to examine the possibilities of promoting exports including the exploration of foreign markets for Indian manufactured goods.

(b) As these Export Promotion Committees were formed recently it is too early to make any assessment of the results achieved by them.

Steamer Service between Goa and Bombay

1017. Shri D. C. Sharma: Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 1396 on the 24th August, 1959 and state the latest position in regard to introduction of steamer services between Goa and Bombay?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): There has been no change in the position.

Wage Maps for Bombay and Kanpur

1018. Shri D. C. Sharma: Will the Minister of Labour and Employment be pleased to refer to the reply given to Unstarred Question No. 1399 on the 24th August, 1959 and state the further progress made so far in drawing up experimental wage maps for Bombay and Kanpur?

The Deputy Minister of Labour (Shri Abid Ali): Collection of information under the Wage Census Scheme is over. Detailed pre-tabulation checking of data is in progress.

Faridabad Township

1019. Shri D. C. Sharma: Will the Minister of Rehabilitation and Minority Affairs be pleased to state the loans and grants proposed to be given to Faridabad Township during 1959-60?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar):

Loans: Rs. 21 lakhs.

Grants: Rs. 23.85 lakhs.

सीमा प्रत्यावर्ती कावायनी लोगों से शरणार्थी

१०२०. श्री प्रकाश शीर शास्त्री : क्या पुनर्वास तथा अस्थि संस्थान कार्य नंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने दीर, चित्राल, और स्वात के सीमाप्रत्यावर्ती कावायनी लोगों से विवाजन के समय भारत आये हुए शरणाविदों को पुनर्वास तथा रोडगार में सहायता दी है ;

(ख) यदि हां, तो किस प्रकार और यदि नहीं, तो इसके क्या कारण हैं ; और

(ग) उन लोगों से किसने परिवार भारत आये हैं ?

पुनर्वास उपभंगी (ओप्यू० श० नास्कर) :
(क) से (ग) तक, पश्चिमी पाकिस्तान से आने वाले शरणाविदों को सरकार ने जो पुनर्वास के लिये सहायता तथा सुविधाएँ दी है, आम तौर पर वही सीमाप्रत्यावर्ती कावायनी लोगों में से भारत में आने वाले शरणाविदों को दी गयी हैं। इन लोगों की ठीक संख्या मातृम नहीं है परन्तु यह बहुत अधिक नहीं होते।

Iron and Manganese Ores

1021. *Shri Panigrahi:*
Shri Achar:

Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of iron and manganese ores lying in various ports of India for export as on the 1st November, 1959; and

(b) how much of it is in the State Trading Corporation account and how much in the Private account?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra) : (a) and (b). A statement indicating

the information as far as available is laid on the Table. [See Appendix II, annexure No. 82.]

Irregular Land Allotments in Punjab

1022. *Shri Ram Krishan Gupta:*
Shri Daljit Singh:

Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Unstarred Question No. 545 on the 11th August, 1959 and state:

(a) whether Government have since examined the report of the Enquiry Officer appointed to investigate the complaints of irregular land allotments in Punjab; and

(b) if so, the results thereof?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar) : (a) and (b). The report is still under examination.

Accommodation for Central Government Offices

1023. Shri Ram Krishan Gupta: Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Unstarred Question No. 548 on the 11th August, 1959 and state at what stage is the scheme for the construction of five more buildings to provide accommodation to the Central Government Offices in the Capital?

The Minister of Works, Housing and Supply (Shri K. C. Reddy) : The estimate for construction of an office building on the site of bungalow No. 1, Queen Victoria Road, will be sanctioned shortly. The proposals for construction of the other four buildings are not likely to be finalised during the remaining period of the Second Five Year Plan.

Tea Guarantee Fund

1024. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 2173 on the 4th September, 1959

and state whether Government have considered the scheme to establish a Tea Guarantee Fund under the aegis of the Tea Board in respect of Working Capital Loans?

The Minister of Commerce (Shri Kanungo): Pending consideration of a scheme by the Tea Board under which tea gardens of the middle group could be given machinery by the Tea Board on hire-purchase basis, the proposal for the establishment of a Tea Guarantee Fund has been deferred.

Fair Prices for Paper

1025. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 1150 on the 20th August, 1959 and state:

(a) whether Government have since considered the report received from Tariff Commission regarding the fixation of fair prices to be charged by wholesale dealers and retailers for paper manufactured in India; and

(b) if so, the result thereof?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) Government Resolution accepting the recommendations of the Tariff Commission has been published in the Gazette of India on the 4th December, 1959.

Export of Groundnut Oil and Oil Cakes to Burma

**1026. { Shri Ram Krishan Gupta:
Shri Ajit Singh Sarhadi:
Sardar Iqbal Singh:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether there is a great demand for Indian groundnut oil and oil cakes in Burma;

(b) if so, the nature of steps taken to increase export of these commodities to Burma; and

(c) the result thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) There is demand for Indian groundnut oil but not for groundnut oil cake in Burma.

(b) Incentive has been provided to shippers by granting export quotas for groundnut oilcake, on the basis of performance in regard to export of groundnut oil.

(c) 6,300 tons of groundnut oil valued at Rs. 95 lakhs were exported to Burma in January-August 1959.

भाकाशवाणी का भावी कार्यक्रम

१०२७. श्री प्रकाश शर्मा : क्या सूचना और प्रसारण में यह बताने की हुआ करेंगे कि :

(क) भाकाशवाणी के दिल्ली केन्द्र से किन-किन श्रेणी के विद्यार्थियों के लिये किन-किन भावाओं में छात्रीय कार्यक्रम प्रसारित किया जाता है;

(ल) क्या ऐसे कार्यक्रम भाकाशवाणी के अन्य केन्द्रों से भी प्रसारित किये जाते हैं; और

(ग) यदि हाँ, तो वे कहाँ से, किस श्रेणी के विद्यार्थियों के लिये और किन भावाओं में प्रसारित किये जाते हैं?

सूचना और प्रसारण मंत्री (डा० केसकर):

(क) से (ग) तक, एक विवरण जिसमें सूचना दी गई है सभा पट्ट पर रख दिया गया है। [हिलिये परिचिष्ट २, अनुबन्ध संख्या ८३]

Industrial Extension Centres

**1028. { Shri R. C. Majhi:
Shri Subodh Hansda:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Industrial Extension Centres are not

able to meet the demands of the entrepreneurs for technical guidance and assistance for setting up and running small industries; and

(b) if so, what steps are being taken to improve their service?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The Extension Centres give technical guidance and assistance to small scale units in their area. The working of these centres is constantly under review and steps are taken from time to time to expand and improve the service, wherever necessary.

Central Evaluation and Implementation Committee

1029. **Shri S. C. Samanta:**
Shri Subodh Hansda:

Will the Minister of Labour and Employment be pleased to refer to the reply given to Unstarred Question No. 544 on the 11th August, 1959 and state:

(a) whether the meeting of the Central Evaluation and Implementation Committee was held on the 13th August, 1959 as scheduled; and

(b) if so, what were the main topics discussed?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes.

(b) (1) A review of the working of the Code of Discipline and of the Central/State Implementation Machinery;

(2) Report on an enquiry into the strike in Premier Automobiles Ltd., Bombay under Code of Discipline;

(3) Cases of infringement of the Code of Discipline in certain establishments;

(4) Analysis of appeals relating to industrial disputes decided by Supreme Court during 1957 and 1958;

(5) Constitution of a tripartite screening machinery to scrutinise

appeals to High Courts/Supreme Court and progress of out-of-court settlement of industrial disputes pending in these Courts.

उत्तर प्रदेश के पर्वतीय ज़िलों का विकास

१०३०. श्री भक्त दर्शन : क्या योजना फ़िर २४ अगस्त, १९५६ के तारांकित प्रश्न संस्था ७५५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश के पर्वतीय ज़िलों के लिये १९५६-६० के वित्तीय वर्ष में और सात लाख रुपये का वित्तीय विकास कार्यक्रम स्वीकार किया गया था, उसके अन्तर्गत प्रत्येक मद में अब तक क्या प्रगति हुई है;

(ल) अगले वित्तीय वर्षों के लिये उत्तर प्रदेश की सरकार ने पर्वतीय ज़िलों के विकास के उद्देश्य से कितनी सहायता मांगी है; और

(ग) उस मांग पर क्या निर्णय किया गया है ?

योजना उत्तरांश्ची (श्री इया० न० मिश्र) :

(क) वास्तविक खावं के आंकड़े भर्भी उपलब्ध नहीं हैं।

(ल) ७६ लाख ५० हजार रुपये।

(ग) इस पर भर्भी विचार हो रहा है

निर्देशतापूर्ण ज्ञेय

१०३१. श्री भक्त दर्शन : क्या प्रधान मंत्री २८ अगस्त, १९५६ के अतारांकित प्रश्न संस्था १९६७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि निर्देशतापूर्ण ज्ञेय व शिकायत को रोकने के लिये क्या कार्यवाही की गई है ?

प्रधान मंत्री तथा बैंडेलिंग-कार्ड बैंडी (श्री जवाहरलाल नेहरू) : पश्चात् के प्रति कूरता निरोधक विवेयक, १९५६ (श्री प्रियेशन माफ़ कुल्टी टू एनीमल्स बिल, १९५६)

बंदू के द्वारों तथा भी संपुर्ण समिति] के सामने है। वह समिति पशुओं के प्रति कूरता के सभी आवश्यक पहलुओं को ध्यान में रखते हुए उसकी संबद्ध व्यवस्थाओं पर विचार कर रही है।

श्रीगेन्द्रनगर स्थित दियासलाई का कारखाना

१०३२. श्री पद्म देव : क्या अधिक्षय तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) जोगेन्द्रनगर (मंडी, हिमाचल प्रदेश) स्थित दियासलाई का कारखाना बन्द होने के बाद उस की दियासलाई आदि का क्या हुआ; और

(ख) क्या उक्त कारखाने की स्थापना से लेकर बन्द होने तक इसके आय-व्यय का व्यौदा देने वाला एक विवरण सभा-पटल पर रखा जायेगा?

उद्योग मंत्री (श्री मनुभाई शाह) : (क) और (ख) एक विवरण नीचे दिया गया है।

विवरण

(क) जोगेन्द्र नगर स्थित दियासलाई का कारखाना बंद होने के बाद उसका तैयार माल मंडी और शिमला की दुकानों के द्वारा बेचा जा रहा है। जहां तक अर्बनिमित माल का सम्बन्ध है, कुछ माल अन्य केन्द्रों को भेज दिया गया है और वहां प्रोग कर लिया गया है। लैकिन जिन चौड़ों पर आबकारी शुल्क लगता है जैसे दियासलाई के खोल बनावे की बिना मुड़ी पट्टियां, तीलियां आदि केन्द्रीय आबकारी विभाग के अधिकार में हैं। इन चौड़ों को उपयुक्त दैण्डर आमिति करके करके लाइसेंस शाले अधिकारियों के हाथ देचने के प्रयास किये जा रहे हैं।

(ख) १९५४-५५ (अर्थात् यिस वर्ष में हिमाचल प्रदेश प्रशासन ने इसे प्रशिक्षण-सह-उत्पादन केन्द्र के रूप में परिवर्तित किया था) से लेकर १९५८-५९ (अर्थात् जिस वर्ष में यह केन्द्र बंद किया गया) तक कारखाने की कुल आय तथा उत्पादन का विवरण निम्नानुसार है :—

इष्टमे

१. उत्पादन की कुल लागत .	६,८२३-११-०
२. अर्द्ध तैयार माल तथा सामान की कुल लागत .	१०,०१५-०-०
योग :	१६,८३८-११-०
१. उत्पादन से आय	१,३३७-६-०
२. अन्य केन्द्रों को भेजा गया तथा वहां उपयुक्त हुआ माल .	१,४६३-०-०
योग :	२,८००-६-०
१. बाकी बचा उत्पादित माल .	८,४८६-२-०
२. अर्द्ध तैयार माल तथा सामान, बाकी बचा हुआ .	८,५५२-०-०
योग :	१७,०३८-२-०

इस अधिकारि में इस केन्द्र पर कुल ४२,८२० ह० लर्च हुआ। इसमें कर्मचारियों का बेतन, महंगाई भत्ता, यात्रा भत्ता, अन्य लर्च और प्रशिक्षणार्थियों को भी गई प्रशिक्षण-दूति आदि भी शामिल है।

Indo-Pakistan Border Incidents

1033. { **Shri D. C. Sharma:**
Shri Prakash Vir Shastri:
Shri Supakar:

Will the Prime Minister be pleased to lay a statement on the Table showing:

(a) the details of the Indo-Pakistan border incidents which have taken place since the last statement was laid on the Table by him on the 3rd August, 1959;

(b) the extent of loss in life and property suffered; and

(c) the steps taken by Government in the matter?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). A statement is laid on the Table of the House. [See Appendix II, annexure No. 84].

(c) Each incident was taken up with Pakistan local authorities and some serious cases were also taken up with the Pakistan Central Government.

A Chief Secretaries' Conference was held on the 17th and 18th August, 1959, one of the purposes of which was to devise means to prevent border incidents in the Eastern Zone. A Minister-level Conference to settle border questions on the Indo-East Pakistan border was held between 15th and 22nd October, 1959. There have been no border incidents in the Eastern Zone since this Conference.

A Minister-level Conference to discuss border questions on the Indo-Pakistan border is due to be held shortly.

**Travancore Minerals (P) Ltd.,
 Manavalakurichi**

1034. **Shri Thanulingam Nadar:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Board of Directors of the Travancore Minerals (Private) Ltd. at Manavalakurichi, Kannia Kumari District, Madras State, have decided to close

down the third shift in the above factory; and

(b) if so, whether Government are aware that this decision will cause greater loss to Government and at the same time throw out a large number of labourers out of employment?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes.

(b) The third shift in Manavalakurichi factory was introduced as a temporary measure in October 1958, in order to meet an increase in the internal demand of monazite. The demand is now considerably reduced. Monazite export is banned as matter of policy. There is also no demand for ilmenite produced by this factory as it is of low grade, and stocks are accumulating. In view of this it was not considered desirable to continue production of monazite or production of ilmenite in place of monazite in the third shift. The Board of Directors after a careful consideration of all the factors decided to close the third shift from 1st November, 1959. The closure involved retrenchment of 90 workers who were employed on the specific understanding that their appointments were purely temporary. The closure of the third shift has resulted in a saving of Rs. 7,500 per month to the company.

देलीविजन कार्यक्रम

1034. { **श्री नवल प्रसादकर :**
श्री भगत दर्शन :
श्री शंकर गोपालन :
श्री कुमार :

क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि आकाश बाणी के दिल्ली केन्द्र से प्रस्तुत दिये जाने वाले देलीविजन कार्यक्रमों के लिये कुछ अविकल्पों को प्रशिक्षण दिया जा रहा है;

(क) यदि हां, तो कितने व्यक्तियों को प्रवित्र दिया जा रहा है; और

(ग) उनके प्रवित्र की संख्या क्या है?

सूचना और प्रसारण मंत्री (डा० कस्तकर) : (क) से (ग), दिल्ली स्टूडियो में किसी व्यक्ति को भी इस प्रकार का प्रवित्र नहीं दिया जा रहा है। भाकाशवाणी का गवेषणा विभाग प्रयोग के तौर पर टेलीविजन चला रहा है और इस विभाग के टेक्नीकल और प्रोग्राम कर्मचारी इस मय काम को अच्छी तरह चला रहे हैं। परन्तु टेलीविजन की आवानिकतम विधियों को सीझने के लिये भाकाशवाणी के दो टैक्नीकल अधिकारी और एक प्रोग्राम अधिकारी को इस बर्दं संयुक्त राष्ट्र अमेरिका म लगभग चार महीने के लिये भेजा गया था। एक प्रोड्यूसर को भी लगभग ६ महीने के प्रवित्र के लिये भर्तैण्ड और पोशप भेजा गया था।

हिस्सी से प्रस्तुत टेलीविजन कार्यक्रमों पर होने वाला व्यय

१०३६. { श्री नवल प्रभाकर :
 { श्री भृत वर्मन :

क्या सूचना और प्रसारण मंत्री यह बताने की रुपा करेंगे कि भाकाशवाणी के दिल्ली केन्द्र से प्रस्तुत टेलीविजन कार्यक्रमों पर अनुमानत कितना व्यय हो रहा है?

सूचना और प्रसारण मंत्री (डा० कस्तकर) : चारू बर्दं में टेलीविजन कार्यक्रमों के लिये भाकाशवाणी के गवेषणा विभाग (Research Department) के अनुदान (recurring grant) के अन्तर्गत ३.३ लाख रुपये की अवधारणा की गई है।

Civic Services in Respect of Markets and Shopping Centres

1037. Shri D. C. Sharma: Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Starred Question No. 189 on the 6th August, 1959 and state the latest position in regard to the transfer to the Delhi Municipal Corporation of civic services in respect of markets and shopping centres constructed in Delhi by the Central Government for displaced persons?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): The information is being collected and will be laid on the Table of the Sabha.

Youth Plan Clubs

1038. Shri D. C. Sharma: Will the Minister of Planning be please to refer to the reply given to Starred Question No. 191 on the 6th August, 1959 and state the further progress made in implementing the scheme of Youth Plan Clubs?

The Deputy Minister of Planning (Shri S. N. Mishra): The scheme has been sanctioned on an experimental basis for Delhi only. For the present, it is proposed to continue the scheme on the existing pattern upto the end of the current financial year.

These clubs numbering 15—10 in the urban areas and 5 in the rural areas—organise a number of activities including Plan publicity, lectures, seminars, exhibitions, games, excursions and study tours, etc. This has resulted in greater consciousness among the people of the area about the Plan programmes, and the need for active public cooperation and participation.

Violation of Indian Air Space on Goa Border

1039. Shri D. C. Sharma: Will the Prime Minister be pleased to state:

(a) the number of aircrafts which have violated the air space on Goa Border since August, 1959, and

(b) the action taken in the matter?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Three.

(b) Though of a technical nature these are serious violations of our air space. Government have still under study the complex features which these continued violations present.

कांगड़ा जिले के कुटीर उद्योग

— श्री सरकूर पाण्डेय :
१०४०. श्री हेम राज :

क्या वायिक्य तथा उद्योग मंत्री ३ अगस्त, १९५६ के भ्रताराकित प्रश्न संसद्या २६ के उत्तर के सम्बन्ध में यह बताने की उपकारणे किए गए कि :

(क) क्या सरकार को कांगड़ा जिले के कुटीर उद्योग के सर्वेत्तर की रिपोर्ट प्राप्त हो गई है;

(ब) यदि हां, तो उस रिपोर्ट में क्या सुनाव दिये गये हैं; और

(ग) क्या प्रन्थ राज्यों में इस प्रकार के संदर्भ किये गये हैं?

उद्योग मंत्री (श्री अनुभाव शाह) :

(क) जी नहीं।

(ब) प्रश्न ही नहीं उठता।

(ग) जी, हां। अब तक सनुदायिक योजना अनुकूल २७ सर्वेत्तर तथा अन्य क्षेत्रों के १६ सर्वेत्तर पूरे हो कुकूर हैं तथा ऐसे १६ सर्वेत्तर अभी किये जा रहे हैं। जिन क्षेत्रों में सर्वेत्तर पूरे हो कुकूर हैं योर जिनमें अभी चल रहे हैं, उनकी एक सूची सभापटल पर रख दी जाती है। [वेजिवे कर्त्तव्य २, अनुदायिक संसद्या ८५]

Central Hospital, Asansol

1041. Shri T. B. Vittal Rao: Will the Minister of Labour and Employment be pleased to state:

(a) whether the construction of additional wards in the Central Hospital, Asansol, has been completed; and

(b) if so, whether the staff in the Hospital has been augmented to attend to the increased bed strength?

The Deputy Minister of Labour (Shri Abid Ali): (a) No.

(b). Yes, to meet the increasing number of inpatients which is generally much above the bed strength.

Retrenchment in Indian Rare Earths, Alwaye

— श्री नारायणकुट्टी मेनोनः
१०४२. श्री पुन्नोऽः
श्री विद्या चारन शुक्लः

Will the Prime Minister be pleased to state:

(a) whether Government have received any representations regarding the retrenchment in the Indian Rare Earths, Alwaye;

(b) if so, the nature of representations received; and

(c) the action Government have taken on them?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). Yes. The Indian Rare Earths Workers Union and the Indian Rare Earths Employees Association raised an industrial dispute regarding retrenchment in the Alwaye Plant of the Company before the Conciliation Officer (Central). The main points of complaint made by the Workers Union and the Employees Association were as follows:

(i) The principle of 'last come, first go' was not followed.

(ii) Notice under Section 9A of the Industrial Disputes Act, 1947 was not given.

(iii) Reduction in various categories was not in relation to the work load and essentiality, and was quite arbitrary and

governed by extraneous considerations.

Protests against retrenchment were also received by Government from the following Associations:

(i) Travancore-Cochin Chemicals, Employees Association.

(ii) FACT Employees Association, Eloor.

(c) The conciliation proceedings held by the Conciliation Officer (Central), Cochin, ended in failure. The allegations regarding victimization and the method of selection of personnel for retrenchment were recently enquired into on the spot by a senior officer of the Government deputed for the purpose and these were found baseless. Every effort is being made to find suitable jobs for the retrenched personnel. The Director General of Resettlement and Employment has been asked to render every assistance in this direction. Messrs. Hindustan Insecticide (Private) Limited, New Delhi, who have a plant at Alwaye have also been requested to consider these employees for appointment in their plant. Messrs. Indian Rare Earths Limited have taken up the question of appointment of these workers in the Atomic Energy Establishment at Trombay.

Indian Traders in Tibet

1043. Shri Hem Raj: Will the Prime Minister be pleased to state:

(a) the number of Indian Traders who went to Tibet during 1959 from the different States;

(b) the number of those who have returned;

(c) the amount of trade that was transacted during 1957 and 1958; and

(d) the amount of trade transacted during 1959 so far?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) According to the information received from different States,

and also Sikkim, 2813 Indian traders went to Tibet during the current year.

(b) State Governments have reported that all those who went have come back. Information from U.P. is still awaited.

(c) During 1957 and 1958, the amount of trade was as follows (value in '000 rupees):

Export	Import
1957 2,09,78	93,06
1958 1,77,00	1,85,00

(d) Till September, 1959, the value of trade has been as follows (value in '000 rupees).

Export — Rs. 74,22
Import — Rs. 85,97.

Average Earnings of Workers in Industries

1044. Shri V. P. Nayar: Will the Minister of Labour and Employment be pleased to state the average weekly or monthly earnings of workers in (1) Iron and Steel industry (2) Sugar industry (3) Textile industry (4) Cement industry (5) Engineering industry (6) Hotels (7) Shops and Establishments (8) Transport other than Railways and (9) Railways in the years 1950-51 to 1958-59?

The Deputy Minister of Labour (Shri Abid Ali): A statement giving the available information upto 1957 about the average annual earnings of the workers is placed on the Table of the Sabha. [See Appendix II, annexure No. 86]. Information relating to weekly or monthly earnings and regarding earnings of workers in (1) Shops and Establishments and (2) Transport other than Railways is not available.

Import of Dye-stuffs

1045. Shri V. P. Nayar: Will the Minister of Commerce and Industry be pleased to state:

(a) whether there is any proposal to give the monopoly of imports of dye-stuffs to the State Trading Corporation; and

(b) what are the indices of prices of the more important groups of dye-stuffs in 1959 as compared to 1956, 1957 and 1958?

The Minister of Industry (Shri Manubhai Shah): (a) No, Sir.

(b) No such precise statistics are readily available.

Slum Clearance

1046. { **Shri Aurobindo Ghosal:**
 { **Shri Madhusudan Rao:**

Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether the Central Government have granted any aid to the States for slum clearance during 1959-60; and

(b) the amount given State-wise?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). A statement giving the amounts of Central assistance allocated to the States under the Slum Clearance Scheme during the year 1959-60 is laid on the Table. (See Appendix II, annexure No. 87)

Mystery Box from Warsaw

1047. { **Shri Hem Barua:**
 { **Shrimati Mafida Ahmed:**

Will the Prime Minister be pleased to state:

(a) whether it is a fact that a "mystery box" containing a human skeleton arrived from Warsaw at Bombay on the 30th October, 1959; and

(b) if so, whether the matter has been enquired into and the mystery unveiled?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) A box containing a set of human bones was received from Warsaw at Bombay on the 30th October, 1959.

(b) Police investigations are under way in the matter.

Wage Policy for Public Undertakings

1048. { **Shri Ram Krishan Gupta:**
 { **Shri Daljit Singh:**

Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that Government propose to take measures to evolve a comprehensive wage policy for employees in public sector undertakings; and

(b) if so, the nature and details of the measures which are under consideration?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). The recommendation in the Second Five Year Plan is that as far as possible no distinction should be made between industrial employees in the public and private sectors. No wage policy exclusively for industrial employees in the public sector is under contemplation. As far as Government employees are concerned wages will be regulated in accordance with the relevant recommendations of the Pay Commission, as accepted by Government.

India-Pakistan Agreement, 1950

1049. **Shri Kalika Singh:** Will the Prime Minister be pleased to state:

(a) the extent of implementation of India-Pakistan Agreement of the 8th April, 1950 so far; and

(b) the period within which the remaining terms are likely to be implemented?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). The Prime Ministers' Agreement of 8th April, 1950 in addition to guaranteeing certain fundamental rights, such as equality of citizenship, freedom of religion and worship, opportunities for employment etc., to minorities in both countries specifically provided that:

(i) Persons migrating from East Pakistan to Assam, West

Bengal and Tripura and vice versa should be assured freedom of movement and protection in transit, ownership/disposal of personal movable and immovable property, prevention from harassment by Customs etc.,

(ii) State Governments of Assam, West Bengal and Tripura and East Pakistan should take suitable measures to (a) restore normal conditions, (b) prevent recurrence of disorder, (c) punish offenders against persons and property, (d) recover abducted women, (e) prevent mischievous propaganda,

(iii) Central Government should depute a Minister each to restore confidence in disturbed area, and

(iv) Minority Commissions should be set up for Assam, West Bengal and East Pakistan.

(iii) and (iv) above have already been implemented. Breaches of (i) and (ii) are regularly brought to the notice of Government of Pakistan through diplomatic channels and are also discussed at various Indo-Pakistan Conferences. Implementation of (i) and (ii) is a continuous process.

Industrial Estate at Arundhutinagar, Tripura

1050. Shri Dasaratha Deb: Will the Minister of Commerce and Industry be pleased to state:

(a) the total number of persons employed, industry-wise and cadre-wise, in the Industrial Estate at Arundhutinagar, Tripura;

(b) whether the production units in the Industrial Estate are being run at profit, or loss or on no-profit, no-loss basis; and

(c) whether Government have any scheme for further expansion of these units?

The Minister of Industry (Shri Manubhai Shah): (a) to (c) The construction of the Industrial Estate

at Arundhutinagar, Tripura, has just been completed. No unit has yet been established in the Estate.

Loans to Displaced Persons in Tripura

1051. Shri Dasaratha Deb: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether the S.D.O., Khowai, Tripura, issued a notice to the Displaced Persons on the 29th October, 1959 to the effect that if they did not apply for agricultural or business loan by the 31st October, 1959, they would not be permitted to apply for any loan afterwards;

(b) if so, whether the Central Government had instructed the S.D.O. to issue such short notices; and

(c) whether such notices would deprive a large number of Displaced Persons from getting loans they are entitled to?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) and (b). Yes. Sub-Divisional Officer, Khowai, issued the notice under instructions from the Tripura Administration.

(c) No.

Tea Export to Japan

1052. Shri P. C. Borooah: Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of Indian tea exported to Japan in 1958-59; and

(b) whether the scope for larger tea exports to Japan has been assessed?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) 97,381 lbs.

(b) Japan herself is a substantial producer of tea. Her production in 1958 amounted to about 164.43 million lbs. Japan also exports tea (chiefly green tea) to other countries. The import of tea into Japan is governed by the fixation of fiscal quota which in turn is based on the availability of

foreign exchange. In the circumstances, while the market for Indian tea in Japan is limited, the Tea Board has, however, been successful in inducing one of the largest importers to retail a special pack containing pure Indian tea under a special brand.

Hire Purchase System

1053. Shri Ramakrishna Reddy: Will the Minister of Commerce and Industry be pleased to state:

(a) how many machines out of the 2,900 supplied by National Small Industries Corporation to small industrialists on hire purchase system are supplied to Andhra Pradesh and to how many industrialists there; and

(b) how many out of the 2,000 applications for the 10,000 machines to be supplied by the Corporation are from Andhra Pradesh?

The Minister of Industry (Shri Manubhai Shah): (a) 131 machines have been supplied to 41 industrialists in the Andhra Pradesh out of the total of 2,899 machines supplied by the National Small Industries Corporation upto the 31st August, 1959.

(b) Out of 2,359 applications covering 9,675 machines accepted as on the 31st August, 1959, 100 applications covering 418 machines pertained to Andhra Pradesh.

Import Licences for Radio Parts

1054. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that import licences have been granted to all new and old manufacturers of radio sets during 1958 and 1959 so far;

(b) if so, whether the price of the radio sets, manufactured out of the imported material, has been fixed; and

(c) if not, the reason therefor?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) and (c). It is observed from the price returns received from the leading manufacturers of radio receivers from time to time that the selling prices of the various brands produced and marketed by them have remained almost the same over the past few years except for some minor changes on account of the change of models. The question of fixing the price has not, therefore, been considered.

Suspension Bridge in N.E.A.

1055. Shrimati Mafida Ahmed: Will the Prime Minister be pleased to state:

(a) whether it is a fact that twelve persons were injured when a Suspension Bridge collapsed at a distance of about twenty miles from Pasighat in N.E.A.; and

(b) if so, the details of the incident?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes.

(b) Political Officer Pasighat and party consisting of 12 persons on tour of Ramlebango area met with this accident at 11-30 hours on 2nd November, 1959, due to snapping of wire ropes of suspension bridge over Sille river approximately twenty-two miles from Pasighat on Pasighat-Ledum Road. All the injured persons were admitted to the Pasighat Hospital, and their general condition is good.

Industrial Estate at Warangal

1056. Shri Madhusudan Rao: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the proposed Industrial Estate for Warangal has been started as scheduled; and

(b) if so, the nature of industries to be set up in the Estate?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The proposal to establish an Industrial Estate at Warangal was not included

in the original plan of the State Government. They have constructed an estate at Warangal and it has started functioning. It is likely that industries namely Agricultural Implements, Cycle and Cycle parts, Auto spare parts, Wire Nails and Panel pins, Wood screws, Bolts, Nuts and Rivets, Conduit Pipes, Builders Hardware, and Electrical Accessories, will be established in the Estate.

Workers in Sugar Industry

1057. Shri Madhusudan Rao: Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No. 17 on the 16th November, 1959 and state:

(a) the names and addresses of 17 more factories which have started implementing the recommendations of Wage Board for the award of interim relief to workers in sugar industry; and

(b) the details, if any, regarding the remaining factories?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). Information regarding factories in Uttar Pradesh is being collected. Information in respect of factories in other States is given below:

I. Factories reported as having started implementation

(1) Jiwajirao Sugar Co.,	} Madhya Daluda.
(2) Jaora Sugar Mills, Jaora.	
(3) The Deccan Sugar &	} Madras Abkari Co. Ltd., Pugalur
(4) The East India Distilleries & Sugar Factories Ltd., Nellikuppam.	
(5) Madura Sugars & Allied Products Ltd., Pandiarajapuram.	

II. Factories which had not started implementation

* (1) Mohini Sugar Mills, Warisaliganj.	} Bihar * (2) South Bihar Sugar Mills Ltd., Bihta.
(3) S. K. G. Sugar Mills Ltd., Guraru.	
(4) The Sugar Factory, Debra. Madhya Pradesh.	

*(5) M/s. Jeypore Sugar Co., Orissa.
Ltd., Orissa.

(6) M/s. Jagatjit Sugar Mills, @Punjab. Phagwara.

Factories marked * are since reported to have started implementation.

@The case of one sugar factory has been referred to the Wage Board for clarification.

Vacancies Notified in Andhra Pradesh

1058. Shri Madhusudan Rao: Will the Minister of Labour and Employment be pleased to state:

(a) the total number of vacancies notified in public and private sector during 1958-59 for the Andhra Pradesh;

(b) the number of new industries started during the period; and

(c) the number of industries closed down during the period?

The Deputy Minister of Labour (Shri Abid Ali):

(1) Public sector	19,692
Private sector	79
TOTAL	20,481

(b) and (c). Complete information is not available.

Circles in the C.P.W.D.

1059. Shri Tangamani: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the number and names of circles in the Central Public Works Department as on 1st October, 1959;

(b) the names of Divisions under each of the circles;

(c) the names of sub-Divisions with their headquarters under each Division; and

(d) the sections under each sub-Division?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) and (b). A statement showing the names of circles and divisions under each of them is laid on the Table. [See Appendix II, Annexure No. 88.]

(c) and (d). The names of Sub-Divisions with their Headquarters and the Sections under them will be collected from Circle Offices spread all over the country and will be laid on the Table of the House as early as possible.

Hydro-electric Generating Units

1060. Shri Jadhav: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Hydro-electric Generating Units for district and local supply are being manufactured in the country;

(c) if so, where they are being manufactured;

(c) how many such units have been actually working; and

(d) whether Government have assessed the demand and supply of such units?

The Minister of Industry (Shri Manubhai Shah): (a) No, Sir. A proposal has, however, been received from a private firm for a licence for taking up the manufacture of small size hydro-electric generating units and it is under consideration.

(b) and (c). Do not arise.

(d) No, Sir. The possibility of development of electric power through such units is being explored but in nature of things, it is limited.

Powerlooms in Bombay State

1061. Shri Jadhav: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 838 on the 3rd March, 1959 and state:

(a) whether the census of the powerlooms in the State of Bombay

which are running without proper permits has since been undertaken; and

(b) if so, what is the number of such powerlooms giving the break-up of their location?

The Minister of Commerce (Shri Kanungo): (a) and (b). The census has not been fully completed.

Ceiling Fans in Government Quarters at Delhi

1062. Shri Ram Garib: Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Unstarred Question No. 3230 on the 18th April, 1959 and state:

(a) whether the question of providing two roomed Government quarters at Delhi with the second ceiling fan has been re-examined;

(b) if so, the decision arrived at;

(c) whether Government also propose to instal a ceiling fan in the Government quarters meant for Class IV officers; and

(d) if so, how long it will take to complete the whole work?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) and (b). The proposal is still under examination, in consultation with the Central Public Works Department who are working out its financial implications.

(c) and (d). No. The proposal has been deferred mainly on account of the prevailing financial stringency.

Government Colonies in Delhi

1063. Shri Ram Garib: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether Government have decided to provide pipes for exhausting dirty water and rain water from the upper storey flats in the newly

built Government Colonies for Government employees in Delhi as has been done in Vinay Nagar to avoid inconvenience caused to the residents;

(b) whether Government have received any representations from the residents;

(c) if so, what is the action taken thereon;

(d) whether the ventilators provided above the doors of the quarters are proposed to be fitted with iron rods to avoid thefts etc.; and

(e) if so, how long it will take to provide these two amenities in the Government quarters?

The Depu'y Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes.

(b) and (c). Yes. The residents of 'E' type ground floor flats in Lakshimbai Nagar and Sarojini Nagar have asked for the provision of rain-water pipes. The request is now under consideration. The residents of the work-charged staff quarters have complained that the balconies do not have proper slopes towards the spouts. Steps to improve the slopes, wherever necessary, are being taken.

(d) Yes. Iron rods will be provided in ventilators of bungalows and ground-floor flats of different types, except quarters of Class IV and work-charged staff, since ventilators in the flats of Class IV and work-charged staff are small openings, fitted with wire gauze, and therefore, there is no danger of thefts.

(e) The work of providing iron rods in ventilators in ground-floor flats of various types, and of improvement in slopes of balconies of work-charged staff quarters in Netaji Nagar, is expected to be completed by December, 1960.

Gauhati Industrial Estate

1064. Shri Basumatari: Will the Minister of Commerce and Industry be pleased to state:

(a) the progress made in the Indus-

trial Estate at Gauhati (Assam) since its establishment; and

(b) what major industries have been started there and since when?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The scheme of Industrial Estate at Gauhati (Assam) costing Rs. 25.5 lakhs was approved on 26th June, 1956. This Industrial Estate has been completed and has started functioning. All the 52 sheds proposed to be constructed in the Estate have been completed and allotted. Power supply is available in the Estate. Five factories are reported to have started production. No major industries are expected to start in the Industrial Estate as the estates are meant for development of Small-Scale Industries.

Small-Scale Handloom Industries in Orissa

1065. Shri P. G. Deb: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of small-scale handloom industries started in Orissa on co-operative basis during the year 1958, district-wise; and

(b) the total amount sanctioned by way of loans and grants for the development of such industries?

The Minister of Commerce (Shri Kanungo): (a) The information is being collected and will be laid on the Table of the House.

(b) The following amounts were sanctioned to the Orissa State Government in 1958-59 for expenditure on the handloom industry:

Loan	Rs. 2,47,000
Grant	Rs. 9,04,000
Grant	Rs. 3,00,000
(for meeting arrear rebate claims).	

PAPERS LAID ON THE TABLE

PAYMENTS AGREEMENT BETWEEN INDIA AND PAKISTAN

The Minister of Industry (Shri Manubhai Shah): With your permission, I beg to lay on the Table a copy of the limited payments agreement between the Governments of India and Pakistan signed in Karachi on the 3rd December 1959. [See Appendix II, Annexure No. 89].

NOTIFICATIONS UNDER INDUSTRIES (DEVELOPMENT AND REGULATION) ACT

Shri Manubhai Shah: On behalf of Shri Kanungo, I beg to lay on the Table a copy of each of the following Notifications issued under section 15 of the Industries (Development and Regulation) Act, 1951:—

- (i) S.O. No. 2541 dated the 16th November 1959;
- (ii) S.O. No. 2593 dated the 18th November 1959. [Placed in Library, See No. LT-1759/59].

REPORTS OF THE TARIFF COMMISSION, GOVERNMENT RESOLUTIONS, STATEMENTS ETC.

Shri Manubhai Shah: I beg to lay on the Table, under sub-section (2) of Section 16 of the Tariff Commission Act, 1951, a copy of each of the following papers:

- (i) Report (1959) of the Tariff Commission on the Fair Export and Fair Selling prices of paper and paper boards.
- (ii) Government Resolution No. Ch(1)-41(79)/59 dated the 27th November 1959. [Placed in Library, See No. LT-1780/59].
- (iii) Statement explaining the reasons why a copy of each of the documents at (i) and (ii) above could not be laid on the Table within the period prescribed in the said sub-section.

- (iv) Report (1959) of the Tariff Commission on the continuance of protection to the Machine Screw industry.
- (v) Government Resolution No. 18(1)-T.R./59 dated the 1st December 1959.
- (vi) Notification No. 18(1)-T.R./59 dated the 1st December 1959.
- (vii) Statement explaining the reasons why a copy each of the documents at (iv) to (vi) above could not be laid on the Table within the period prescribed in the said sub-section. [Placed in Library, See No. LT-1781/59].
- (viii) Report (1959) of the Tariff Commission on the continuance of protection to the Cotton and Hair Belting industry.
- (ix) Government Resolution No. 8(1)-T.R./59 dated the 2nd December 1959.
- (x) Statement explaining the reasons why a copy of each of the documents at (viii) and (ix) above could not be laid on the Table within the period prescribed in the said sub-section. [Placed in Library, See No. LT-1762/59].
- (xi) Report (1959) of the Tariff Commission on the continuance of protection to the Automobile Leaf Spring industry.
- (xii) Government Resolution No. 21(3)-T.R./59 dated the 27th November 1959.
- (xiii) Statement explaining the reasons why a copy each of the documents at (xi) and (xii) above could not be laid on the Table within the period prescribed in the said sub-section. [Placed in Library, See No. LT-1763/59].

[Shri Manubhai Shah]

(xiv) Report (1959) of the Tariff Commission on the continuance of protection to the Non-Ferrous Metals industry.

(xv) Government Resolution No. 22(1)-T.R./59 dated the 4th December 1959. [Placed in Library, See No. LT-1764/59].

(xvi) Report (1959) of the Tariff Commission on the continuance of protection to the Stearic Acid and Oleic Acid industry.

(xvii) Government Resolution No. 2(1)-T.R./59 dated the 30th November 1959. [Placed in Library, See No. LT-1765/59].

NOTIFICATION RE: AMENDMENTS TO NON-FERROUS METALS (CONTROL) ORDER

Shri Manubhai Shah: I beg to lay on the Table, under sub-section (6) of Section 3 of the Essential Commodities Act, 1955, a copy of Notification No. S.O. 2698 dated the 4th December 1959, making certain amendments to the Non-Ferrous Metals (Control) Order, 1958. [Placed in Library, See No. LT-1766/59].

CONCLUSIONS OF 17TH SESSION OF INDIAN LABOUR CONFERENCE

The Deputy Minister of Labour (Shri Abid Ali): I beg to lay on the Table, a copy of statement showing summary of the main conclusions of the Seventeenth Session of the Indian Labour Conference held at Madras in July, 1959. [See Appendix II, Annexure No. 90].

AMENDMENTS TO EMPLOYEES' PROVIDENT FUNDS SCHEME

Shri Abid Ali: I beg to lay on the Table, under sub-section (2) of Section 7 of the Employees' Provident Funds Act, 1952, a copy of Notification No. G.S.R. 1307 dated the 28th November, 1959, making certain further amendments to the Employees' Provi-

dent Funds Scheme, 1952. [Placed in Library, See No. LT-1768/59].

12.03 hrs.

MESSAGES FROM RAJYA SABHA

Secretary: Sir, I have to report the following messages received from the Secretary of Rajya Sabha:

(i) 'In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 3rd December 1959, agreed without any amendment to the Andhra Pradesh and Madras (Alteration of Boundaries) Bill, 1959, which was passed by the Lok Sabha at its sitting held on the 23rd November 1959'.

(ii) 'In accordance with the provisions of rule 97 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Married Women's Property (Extension) Bill, 1959, which has been passed by the Rajya Sabha at its sitting held on the 30th November 1959'.

12.03½ hrs.

MARRIED WOMEN'S PROPERTY (EXTENSION) BILL

Secretary: Sir, I lay on the Table of the House the Married Women's Property (Extension) Bill, 1959, as passed by Rajya Sabha.

12.04 hrs.

**CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE**
**INCREASE IN RENT OF HOUSES IN UTTAR
PRADESH**

Shri S. M. Banerjee (Kanpur): Under Rule 197, I beg to call the attention of the Minister of Works, Housing and Supply to the following matter of urgent public importance and I request that he may make a statement thereon:—

The decision of the Central Government to increase the rent of the houses constructed in several cities of Uttar Pradesh.

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): Under the Subsidised Industrial Housing Scheme, the Centre gives to the States full financial assistance for the construction of houses for eligible industrial workers. This assistance takes the form of a 50% loan and a 50% subsidy and the State Government becomes the owner of these houses. In calculating the rent payable by an eligible worker, the capital cost of the house is reduced by the amount representing the subsidy, with the result that the eligible worker pays to the State Government, a subsidised rent which is considerably less than the economic rent of the house. From this rent realised from the workers, the State Governments repay the loan to the Centre in a period not exceeding 25 years. The allotment of the houses are made by the State Governments.

2. Under this Scheme, the U.P. Government have sanctioned in several cities, the construction of some 25,588 houses, a good many of which have already been completed. According to the latest figures received from the State Government, the number of ineligible persons in occupation of these houses is as follows:—

(1) In the occupation of Central Government (including Defence) employees	4,327
(2) In the occupation of State employees	1,462

(3) In the occupation of other ineligible persons	1,128
TOTAL	6,917

3. The Scheme specifically prescribes the category of workers who are to be housed in these tenements and are hence eligible for the subsidised rents. Under it, only such workers are entitled to subsidised tenements as come within the meaning of Section 2(1) of the Factories Act or are employed in mines—other than coal or mica mines—within the meaning of Section 2(h) of the Mines Act. Under Rule 6 of the Scheme, employees of the Central or State Governments are not eligible for aid, even if they are governed by these two Acts. Employees of statutory bodies, corporations, or companies—owned in part or in full by Central or State Governments—if liable to income-tax are, however, eligible for assistance under the scheme.

4. Sometimes the State Governments find it difficult, for a variety of reasons, immediately to rent out these tenements to the eligible industrial workers. In such cases, the State Governments may, with the concurrence of the Central Government, either divert the houses for a temporary period to ineligible persons or—if they think that the houses will not be occupied by the eligible workers—to buy them outright by refunding the loan and subsidy given to them by the Central Government. In the latter case, the houses cease to be governed by the Scheme and the State Governments can utilise them in whichever manner they think best. The U.P. Government have evidently decided to retain the houses within the scope of the Scheme, but have let some of them out temporarily to ineligible persons. For any period, however, during which the houses are in the occupation of ineligible persons, the State Governments have to pay to the Central Government the difference between the economic and the subsidised rent. In this particular instance, the U.P. Government have finally decided that the

[Shri Anil K. Chanda]

difference be recovered from the ineligible persons. There is of course, no question of the eligible industrial workers paying anything more than the subsidised rents.

Shri S. M. Banerjee rose—

Mr. Speaker: Hon. Members may go through the statement first.

Shri S. M. Banerjee: You will remember that I had given notice of an adjournment motion on this subject, because people are going to be evicted.

Mr. Speaker: People are not going to be victimised. Whoever has been there will be in possession of the houses.

Shri S. M. Banerjee: It is a clear case of discrimination as between worker and worker.

Mr. Speaker: I am not going to allow a general discussion on this. The hon. Member is interested in the workers. I therefore allowed him to call the attention of the Minister to this by means of notice. Whether the workers have been asked to pay something more than what was originally intended is a different thing. It is clear from the hon. Minister's statement that if the workers have not cared to occupy particular houses and they have to be allotted to some others, a higher rent is charged. The hon. Member seems to be taking interest in them also.

Shri Braj Raj Singh (Firozabad) rose—

Mr. Speaker: Hon. Members will read the statement and ask questions later on, if necessary.

12.08 hrs.

BUSINESS ADVISORY COMMITTEE

FORTY-SIXTH REPORT

The Minister of Parliamentary Affairs (Shri Satya Narain Sinha): I beg to move:

"That this House agrees with the Forty-sixth Report of the Business Advisory Committee presented to the House on the 4th December 1959".

Mr. Speaker: The question is:

"That this House agrees with the Forty-sixth Report of the Business Advisory Committee presented to the House on the 4th December 1959".

The motion was adopted.

12.09 hrs.

DOWRY PROHIBITION BILL—contd.

Mr. Speaker: The House will now proceed with further consideration of the motion moved by Shri Hajarnavis on the 3rd December 1959, namely:—

"That the Bill to prohibit giving or taking of dowry, as reported by the Joint Committee, be taken into consideration".

Five hours had been allotted for this Bill. The time taken for general discussion is 2 hours 10 minutes. Has the motion for consideration been put to vote?

Sardar Hukam Singh (Bhatinda): No. The discussion on the motion for consideration was not over on the last day.

Shrimati Parvathi Krishnan (Coimbatore): Mr. Speaker, Sir, this Bill is certainly a welcome measure. However, it has disturbed me to hear the various . . .

Mr. Speaker: How many hon. Members would like to participate? There are only 50 minutes left. How long does the hon. Minister want to reply?

The Deputy Minister of Law (Shri Hajarnavis): Not more than twenty minutes.

Mr. Speaker: Therefore, 30 minutes are left; I will give 10 minutes to each Member. Three Members can participate. (*Interruption*).

Shrimati Parvathi Krishnan.

श्री भवत दर्शन (गढवाल): प्रध्याय महोदय इस पर कुछ समय बढ़ा दिया जाय।

Shrimati Parvathi Krishnan: The speeches that have been made on the floor of this House show how much opposition we are going to face outside to the enactment of this measure; because we find that in the name of so-called ancient customs, in the name of the fact that marriage is supposed to be a sacrament according to the Hindu traditions, Hindu religion and Hindu social customs and so on, a large number of Members led by Pandit Thakur Das Bhargava have been opposing this measure. They say that if this is done, then the people in Punjab would be up in arms against the putting an end to the system of giving and taking of dowry and so on.

What strikes me is that in the name of marriage being a sacrament and not a contract they want to perpetuate one of the most abominable social evils in this country and they want to make marriage something that deteriorates into nothing more or less than a worse contract. We know how over so many years this whole system of dowry has really developed into what is commonly known as the oppression of the women in our society. We know so many tales which have been told in season and out of season; and those stories are told by those very people who today try to oppose this Bill. We have also heard how bridegrooms look for very rich brides in order to be able to go abroad and pursue their

studies or in order to see that they have a comfortable life from the time of their marriage or in order that the parents may make money out of their marriages; how very often a wife is discarded very soon after the marriage because although she might have brought with her a considerable amount of money and property, it may be she is dark or not good-looking or temperamentally unsuited, whatever the reason may be. It is always something of that sort. They are discarded and this dowry-holder, that is, the bridegroom, is able to go his own merry way in life, whereas the wife has to suffer a pretty miserable life, discarded as she has been by her husband and social conditions in our country being what they are.

A number of hon. Members of this House have been accosting many of us in the lobby or other places and asking: 'Why you people are so upset about this dowry? Do you realise that I have a daughter aged 19 and now I have to seek a bridegroom? If you seek to have a measure like this how is she to be married? Is she to be in my hands unmarried?' and so on. So, it shows how all of them imagine that without this institution of dowry, without being able to bargain over it, this question of marriage cannot be turned into a sordid contract rather than a social contract. They are talking all this not because they are thinking of their daughters getting married. Of course they do not say, 'Our sons won't get it'. They try to do it the other way. They probably think that being ladies we would be sympathetic to them if it is said that their daughters would be left high and dry and abandoned because this system of dowry is being made illegal.

This is the extraordinary argument that we have been hearing on the floor of this House time and again. Of course, it is covered over by all the high-sounding phrases of ancient customs, cultural heritage and so on. A parody is made of the very heritage of which we should be proud. These

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things have grown as a result of various social institutions and various economic factors. These very things today are upheld as something to be proud of and something to be defended. I am really aghast at the Members of Parliament who, after so many years in Parliament and after so many years in public life, having themselves come across many occasions where you find that because of the dowry system families have broken up, because of the dowry system our women-folk are doomed to such miserable life, come here and put forward this sort of argument. It is for this reason that we maintain that it is not only by this piece of paper, it is not only by putting this piece of legislation on the statute-book that this evil system is to be eradicated, but a jolt has got to be given to the social conscience of our people and we have got to arouse the social consciousness of our people in order to see that this system is done away with once and for all.

There are, of course, others who try to cover it by saying that if I love my daughter and if I have affection for her why should I not give her something on the occasion of her marriage. Well and good. They can certainly do it. The main point about this question of dowry is that this should not be made a condition of marriage. It should not be that the bridegroom and his people come and say: 'Look here, father of the daughter, see to it that the marriage of your daughter costs so much or so much.' This is exactly what we object to.

Similarly, if the bridegroom wishes to give any present to the bride, certainly, nobody is going to come in the way. But, certainly, we do not want the bride's father to say, 'You cannot marry my daughter unless you give a present of such and such or so much jewellery'. This is really what it means. All this sort of arguing and quibbling really is to cover up the reactionary outlook that, unfortunately, so many of our people seem to have. Whenever it is a question of social

reform we find all our culture and heritage being trotted out only to cover up all these backward customs and these abhorrent social customs that continue.

For instance, we heard one of the hon. Members saying that it is at the time of marriage that we like to give our daughter furniture, cooking utensils etc., to set her up in a flat etc. Let them do it by all means. But why should it be precisely as part of the marriage that it should be done? Nowadays we have got a number of women coming forward and taking up professions, joining the Administrative Services or taking up jobs in various fields of work. At that time do not the parents come forward? Do they not go with their children, their daughters, to the very cities where they may be going to work; do they not go there and take houses on rent and see that the daughters are settled there so that they are able to do their work properly; do they not see that they are comfortably settled? Of course, all this comes out of natural affection. At the time of marriage also all this can come out of natural affection.

But what we object to and the reason for which we support this Bill is that we want it should not be made a condition of marriage. If the parents wish to give their daughter something they can do it at any time from birth till the time of her death. There is nothing to stop that. There is no law to stop it at any time. Certainly, no husband or anyone will come in the way of the father giving his daughter what he wishes to give.

Similarly, where it is a question of exchange of gifts between the husband and wife, I do not think that in our country there is a single person who will come and say to the husband, 'you have no business to make a presentation to your wife' or vice versa. So, this kind of argument, if you will excuse my saying so, is purely and infinitely reactionary and I think it should be brushed aside with the most scant respect, realising

at the same time that it is dangerous enough and has to be put out of our social system. That will have to be done by the various organisations that exist today for such work. But, certainly, Government will also have a certain amount of responsibility.

This brings me also to the larger and astonishing amendment of Pandit Thakur Das Bhargava for whom I have got the deepest respect. He is after all an able and experienced lawyer. His argument—from what little I could follow his Hindi—unfortunately I am a stranger to that language—from what little I could follow, he seems to indicate that it would be a very good thing if people were to be allowed to give dowry according to their income. This is an extraordinary state of things. That means that he wants to say: those who have got money and who want to pay, let them pay as much as they want. In other words, he wants to legalise dowry on the same slab system as the income-tax and we will have the same sort of evasion here also. It is the most extraordinary suggestion. The whole purpose of this Bill is to prevent the giving of dowry and to prevent this type of horse-trading that goes on all the time. He wants it to be legalised and to be made into a complete business altogether. Why not he then suggest an amendment or legislation? There is the Companies Act. There are the other Acts. Like that, this may also be made a sort of a public limited company for the giving of dowry and so on.

Another suggestion was that people should be allowed to give as much dowry as they like. Those who have will give and those who do not have will not give. If that is the thing, then we may pass a resolution here saying that. The Third Five Year Plan is being discussed and we may then suggest that an amount should be allocated for giving subsidy for people who wish to give dowry. Then we will not

have all these various cases of parent getting into difficulties by selling the property or the wives having to suffer when they go to their in-laws' houses and when they do not bring sufficient dowry. Another thing was the manner in which the people were talking about it. It is as though in our country, when marriage takes place, both the bridegroom and the bride are absolutely mature and adult people who are able to judge things for themselves. It is really to cover up the desire to continue this type of system that they say these things. That is why, in supporting this Bill, I want to emphasise once again how important it is. It should be just a piece of legislation that is being put on the statute book and then left there to be a dead letter of the law as happens in the case of many social reform measures. There should be a powerful movement behind in order to see that the social consciousness of people is aroused and at the same time the economic and social rights of women have got to be safeguarded and extended if the system of dowry is to die a death which it so well deserves. Because we feel that this is a piece of legislation that is going to be very difficult to implement, we have proposed that this offence should be made cognisable. I know that there are a number of arguments that can be put forward against this. We have of course to admit an argument that if this is done the police which is already corrupt will become more corrupt and dowry will be going to the policemen rather than to the bridegroom. But to begin with, the policemen also are fathers. They are also part of our social system and they also suffer from taking dowry. Just because we have corruption among the police—it is an accepted fact—it does not mean that every single person in our country who is in the police service is corrupt. It is not that the police which is responsible for keeping the law and order, is going to rush in every case when there is some dowry. Far from it. We would like these things to be made cognisable while at the same time safeguarding

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against the police harassment by making the District Magistrate or someone responsible for having an enquiry instituted. This sort of frightening and nightmarish details, trotted out by people that the police will come just at the time when the wedding ceremony is taking place and put their hands on the father-in-law's shoulders and say: 'you come out'—I do not think this is what is going to happen. Certainly it is up to all of us, upto the social reformers and the Government also to see that this sort of thing does not take place. When the offence is made cognisable, there should be safeguards against this sort of harassment. In the name of this type of harassment, in a veiled manner, people want to defend the whole system of giving and taking of dowry.

In conclusion, I would like to say that the main task after the passing of this measure with such amendments as we feel necessary is to see that public attention is focussed on this question. We all know how the Sarada Act was passed. Even today child marriages are taking place and our social consciousness is not aroused against this. Personally, I am not very complacent that with the passing of this measure, a great step forward would have been taken overnight and this social evil is going to be rooted out. I do feel that as a result of the passing of this measure, we will be taking one step to root out this evil but certainly it is not the passing of this measure alone but the actions that we take in implementing the measure that will really help to root out this evil and help the Indian womanhood to come into its own.

Shrimati Manjula Devi (Gopalpara): Mr. Speaker, I whole-heartedly support this Bill. I have gone through the Joint Committee's report and I find no clear definition of 'dowry'. I think it may lead to confusion. I understand from the hon. Minister's statement that voluntary gift of any kind is excluded from the word 'dowry'.

I think there should be a clearer demarcation between conditional demands and voluntary gift. Due to lack of clear definition, there is so much criticism in the House and if the definition is clearer, the hon. Members would hesitate to oppose this Bill.

This Bill should give full freedom for giving stridhan because it is a voluntary gift of the parents to the daughters. In our zeal for social reform, we should not overlook the women's economic independence and security in life. Because there is no clear definition of the word 'dowry' a lot of injustice has been done to women. I know of a case where the father of the bride gave 2 lakhs and the father-in-law of the bride had taken that amount. After the death of the father-in-law, the girl was compelled to file a case. The father who had given the amount had said that the amount was given for the benefit of his daughter and the daughter herself gave a statement to that effect. But the verdict of the court was that the person who had received this money on behalf of the daughter-in-law had not given a written statement that the money belonged to the daughter or it was meant for the bride's welfare. It is very strange. One who takes money with the intention of depriving the girl of her money would not go and say that it is for her. So he got no share in the gift from her father.

It is true, Sir, we have to respect the Hindu custom and the daughter has to be given as *Salankrita kanya*. There is also the welfare of the children before the parents and the anxiety of the parents to look after the welfare of the children. But that does not mean that the relations of the bride or the bridegroom should have a conditional demand of money for marriage.

We have now very few joint families. New establishments have, therefore, to be set up for the daughters

and it is natural for the parents to see to that question. So we have to make it clear about voluntary gift of money before we define the word "dowry". Excesses of gifts are naturally controlled by the economic pressure. There are the gift tax and the wealth tax to control it.

Then, I feel that to make this Bill a more practical one it should be made a cognizable offence. I will tell you an instance. When I was the Chairman of the Education Board in Assam we specified certain areas as compulsory areas for compulsory education. We also said that those parents who failed to send their children to school were to be fined Rs. 500. But it was just a mere scrap of paper; it was not effective because the offence was not made cognizable. I feel, therefore, that this offence should be made cognizable to make it more effective.

Regarding child marriages, the organisation to which I belong, the Mahila Samiti of Assam, had gone into this question. There were several cases where we prevented child marriages, but our effort was not very effective because we had to face a barrage of questions, we had even to face abuses from the parents and the concerned families, the reason being that we seemed to have interfered with the family custom and tradition of the country. If that offence also had been made cognizable, I think it would have been more effective and our social reforms would have taken a consolidated form of reformation.

Sir, marriages are celebrated in pomp and splendour, but the true sense of happiness is, of course, not very evident because most of the marriages are marred with the conditional demands from different parties, mostly from the bridegroom's party. I have seen heart-breaking scenes and instances which have broken the marriages resulting in untold misery to the married daughter. There are also instances where the father of the girl had to sell his all to give his daughter in marriage.

Therefore, it is for the voluntary organisations to build up the society, to decide if the time has come for this Bill and to remove this social evil from society. The Act, of course, only paves the way, but it is for us to enlighten the mind of the people through our voluntary efforts.

Sir, I welcome the Bill from all points of view. I hope that those hon. Members of this House who have misunderstood the purpose of the Bill, and who have not got a clear idea of the definition of the word "dowry" which excludes voluntary gifts and only includes the conditional demands, will withdraw their objections and opposition to this Bill.

श्रीमती सुभद्रा जोशी ((अम्बाला) : अध्यक्ष महोदय, जब यह बिल सिलेक्ट कमेटी में जाने से पहले लोक सभा में आया था और अब जब कि सिलेक्ट कमेटी के बाद आया है, इसके बारे में बहुत सी बातें कही गयी हैं जिनको सुनकर मुझे ऐसा लगता है कि हमारे बहुत सारे सदस्य इस बिल के परिपक्व को नहीं समझते हैं।

मुझ को इस बात को सुनकर बड़ा ताज्जुब हुआ जो कि हमारे आनंदरेबिल पंडित ठाकुर दास जी ने कही कि पंजाब में और दूसरी जगहों में जहां यह रिवाज बहुत रेम्पेंट है, उन जगहों को इसमें से निकाल दिया जाये। यह तो वैसा ही हो गया कि हम हैंजे का इलाज करने के लिये बले और कहा कि जहां बीमारी ज्यादा फैली वहां इलाज नहीं किया जायेगा।

पंडित ठाकुर दास भागवत (हिसार) : मेरा अमेंडमेंट यह है कि जिन जगहों में यह चीज रेम्पेंट नहीं, उन जगहों को निकाल दिया जाये।

श्रीमती सुभद्रा जोशी : अध्यक्ष महोदय, मैंने अनकरेक्ट कापी देली है। उसमें तो जो मैं कहती हूँ वही है। अब करेक्ट कर दिया

[बीमती सुभद्रा जोशी]

नियंत्रण हो गया । लेकिन अगर, जैसा कि आनंदे-बिल में अन्तर कहते हैं कि उन्होंने यह अमेंडमेंट दिया है कि उन जगहों को निकाल दिया जाये जहां यह रेस्टर्ट नहीं है, तो यह और भी बाज़ुब की बात है । मैं तो पंजाब की ही रहने वाली हूँ, वही पैदा हुई हूँ और वहीं की शादियां मैंने देखी हैं । और जब यह बिल सिलेक्ट कमेटी के सामने गया तो मैंने हाउस के सामने दो बार खत रखे थे । एक उस बच्ची का खत रखा था जिसमें उसने लिखा था कि उसने दहेज की प्रथा के कारण अपने ऊपर मिट्टी का तेल ढालकर खुदकुशी कर ली थी । दूसरे पत्र में एक बच्ची ने अपने आप को यह लिखा था कि—पिता जी कपा आपको रेहियो मेरी जिन्दगी से भी ज्यादा प्यारा है । मैं वाम्बदब अर्ज करना चाहती हूँ कि वह पत्र पंजाब की लड़कियों के ही लिखे हुये थे । किसी बाहर की लड़की के नहीं थे ।

पंडित ठाकुर दास भार्गव : मेरे अमेंडमेंट में पंजाब का तो कहीं जिक्र भी नहीं है । शायद मेरी बहिन ने मेरा अमेंडमेंट पढ़ा नहीं है । उसमें तो पंजाब का जिक्र नहीं है । वह अपनी तरफ से एक्यूम कर रही हैं । मेरा अमेंडमेंट तो नम्बर १४ है ।

बीमती सुभद्रा जोशी : तो पंजाब को अनकरेक्टेड कापी से निकाल दिया जाये । उसमें लिखा है—पंजाब एंड अदर प्लेसेज— ।

कहने का मतलब यह है कि यह तो एक ऐसी बीमारी है जो कि हिन्दुस्तान के एक कोने से दूसरे कोने तक फैली हुई है । उस बीमारी को हम दूर करना चाहते हैं । माननीय सदस्यों ने कहा कि दहेज से स्त्रियां स्वावलम्बी हो जाती हैं, अगर यह बन्द कर दिया जायेगा तो उनके धार्यिक स्वावलम्बन में रुकावट आने वाली है । जहां तक लड़कियों के धार्यिक स्वावलम्बन का सवाल है, हमको तो यह अर्ज करना है कि हम तो यह चाहते हैं कि सड़की को बचपन में दिया जाये, जवानी में

दिया जाये, बुढ़ापे में दिया जाये, हमेशा दिया जाये । लेकिन शादी के साथ उसको संबंधित कर देना लड़की के लिलाक जाता है । अगर दहेज ज्यादा दिया जाता है तो भी लड़की अपने घर जाकर दुःख पाती है, क्योंकि लोग यह समझते हैं कि इसके मां बाप की देने की एक्लिटी ज्यादा थी, उतना नहीं दिया । वह चाहते हैं कि जब भी वह अपने घर जाये तभी काफी लाये । अगर उसको उतना नहीं भिलता तो भी वह दुःख पाती है । यह तो ऐसी बीमारी है कि जिसमें देना भी खराब और न देना भी खराब । दोनों हालातों में लड़की दुःख पाती है । तो कहने का मतलब सिर्फ यह है कि जिन लड़कियों के घर में जायदाद है या सम्पत्ति है उसको सब कुछ दिया जाये लेकिन जो उसको शादी के साथ संबंधित कर दिया जाता है उसको हम हटाना चाहते हैं । इसलिये यह कहना कि अगर दहेज बन्द हो जायेगा तो स्त्रियों की धार्यिक अवस्था में कोई कर्क आने वाला है ठीक नहीं है और हम इसको मानने को तैयार नहीं हैं । जो शादी के साथ इस देने को जोड़ा गया है उसको उस दहेज प्रथा को हम हटाना चाहते हैं ।

यह भी कहा गया कि शादी तो स्त्री और पुरुष का आपस में एक कंट्रोक्ट है, जो चाहे दे और जो चाहे ले । और इसके साथ ही यह कहा गया कि यह तो फंडामेंटल राइट है और लोक सभा को इसकी हिकाजत करनी चाहिये । हमको तो यही अर्ज करना है कि बार बार फंडामेंटल राइट का नाम लेकर इस तरह की चीजों का बचाव किया जाता है । जिस तरह से किसानों का शोषण रोकने के लिये कानून बनाये गये हैं उसी तरह हम चाहते हैं कि जिसके यहां बद-किसमती से लड़की पैदा हो जाये उस बाप की भोजन बत को एक्सलाइट करने का मौका किसी को न मिले । इसको हम रोकना चाहते हैं और भी चाहते हैं कि यह दहेज की शर्तें शादी के बीच में न आयें ।

एक और चीज मुझे कहनी है। कहा गया है कि जो कंडीशनल पेमेंट है उसको रोकना चाहिये। हम लोग बकील नहीं हैं इसलिये इन अपनों की गहराई में नहीं जा सकते। जो इस काम को जानते हैं वे इनकी पंचोदणियों को अहसूस करते हैं। लेकिन मुझ को यह अर्ज करना है कि यह भानूम करना बहुत मुश्किल है कि यह पेमेंट कंडीशनल है। मैं तो चाहती हूँ कि शादी के बक्त देना बिल्कुल खत्म हो जाये। शादी के बाद दे सकते हैं, पहले दे सकते हैं, हमेशा दे सकते हैं। शादी के बक्त जो भी दिया जाता है उसको हम हटाना चाहते हैं। जो दहेज दिया जाता है। उसकी कोई लिखा पढ़ी नहीं होती। इसलिये यह साधित करना कि कौन सी रकम कंडीशनल थी और कौन सी नहीं थी बहुत मुश्किल हो जाएगा।

इसके अलावा यह भी सवाल है कि इस मुकदमे को कौन चला सकता है। कहा जाता है कि एप्रीव्ड पार्टी मुकदमा चला सकती है। अब कौनसी पार्टी एप्रीव्ड समझी जाएगी। इस मामले में मैं अंडित ठ. कुर दास जी से सहमत हूँ। एप्रीव्ड पार्टी तो लड़की हो सकती है या उसका बाप हो सकता है। अब न लड़की मुकदमा कर सकती है और न उसका बाप मुकदमा कर सकता है। इसलिए मैं भी यह चाहती हूँ कि: सोशल आरेनाइजेशन को यह इजाजत हो। कि वह इस बारे में कम्पलेट दर्ज करा सके। मैं तो चाहती थी कि इसको कागनिज़िशिल आरेंस बनाया जाए। अगर हम समझते हैं कि हमारी लड़किया इस कांडेल हो गई हैं कि वह जाकर अपने पति के पिलाफ मुकदमा कर सकती है, या अगर हम यह समझते हैं कि लड़कियों वे बाप इतने मजबूत हैं कि वह मुकदमा कर सकते हैं, तब तो इस तरह के कानून को बनाने की जरूरत ही नहीं रहती। लेकिन हम समझते हैं कि वे इतने मजबूत नहीं हैं और सरकार को

उनकी मदद करनी चाहिए। ऐसी हालत में यह बहुत मुनासिब होगा कि इसको कागनिज़िशिल आरेंस बनाया जाए।

हमारे सामने यह बार बार कहा गया है कि पुलिस यह काम नहीं कर सकती। हमें यह बात सुनकर बहुत अफसोस होता है। आज की पुलिस एक बेलफेयर स्टेट की पुलिस है। वह सिर्फ चोरों और डकेतों को पकड़ने के लिए ही नहीं है—हालांकि वह उनको भी नहीं पकड़ पाती—हम उम्मीद करते हैं कि वह सभी चीजों में हमारी मदद करे। लेकिन यही कहा जा रहा है कि इस मामले में पुलिस पर ज्यादा भरोसा नहीं किया जा सकता। ऐसी हालत में सेंकिड बैस्ट यह होगा कि हम किसी सोशल आरेनाइजेशन को या कुछ दूसरे लोगों को इजाजत ~ कि वे इस तरह के मामलों को टेक अप कर सके।

कहा जाता है कि शादी के बक्त देने का हमारे यहां हमेशा से रिवाज चला आता है। अगर हम इस हमेशा के चक्कर में पड़े और पुराने रिवाजों को यह कह कर रखना चाहें कि यह तो बीमारी क.निक हो चुकी है, यह तो हमारे शर्टार का हिस्सा बन चुकी है, तो यह आज की हालत के अनुकूल नहीं होगा। आज हिंदुस्तान की स्त्री, उसका भ.ई, उसका बाप इस प्रवा से दुर्बा है और यह बहुन खगड़ बांमारी है जो कि हमारे सभाग का शोरग कर रही है। पर यह बांमारी खत्म नहीं हो रहा है। हम यही देखते हैं कि लड़का पत्नी लाएगा तो उसके साथ पैसा भी लाएगा। हम जब पत्नी की बात करते हैं तो उस की बात उसके साथ करते हैं। यह चाज़ सिर्फ़ चाज़ में ही नहीं है। सारे देश में फर्मा दुर्ई है। मैं तो अपने साथियों से यह दरख्वास्त बाल्यों कि: जब वे स्त्री की बात करते हैं तो वे वल पत्नी की बात ही न सोचें। वे अपनी बच्चियों का ध्यान दर्ता, अपनी बहनों का ध्यान करे और

[श्रीमती सुभद्रा बोरी]

वह देलें कि किस तरह से, कौनसा रिवाज उन को एक्सप्लायट कर रहा है, उन को दुखी करता है और उस रिवाज को हमको जड़न्मूल से उड़ाना चाहिए और बन्द करना चाहिए।

इन शब्दों के माध्यम से इस बिल का समर्थन करती हूँ।

श्रीमती सत्यभासा देली (नवादा) : श्रीमान जी, मैं इस बिल का स्वागत करने के लिए खड़ी हुई हूँ। इस बिल की प्रतीक्षा बहुत दिनों से की जा रही थी। डावरी सिस्टम को लेफ्ट विहार में इतनी धांधली है, जिसकी कोई सीमा नहीं है। हरिजन हों, या सवर्ण, सब का इस तरफ पूरा ध्यान है और सबको इसके कारण कट्ट उठाना पड़ता है। इसकी धांधली इतनी जबरदस्त है कि कहने योग्य नहीं है। इस सम्बन्ध में मुझे एक किस्ता याद आ गया है, जो कि आपको मुनाती हूँ। एक बर में हमको पंचायत के लिए चुनाया गया। हम वहां बर गए। वहां सास और बहू का जगड़ा था। वह ने हमसे कहा कि "हमारे मां-बाप ने पूरी कीमत दे कर इनके लड़के को ले निया, तो फिर इनको अपने लड़के पर और उसकी कमाई पर क्या हक रह गया है?" इसलिए मैं इनसे जुदाई करने के लिए नैयार ही गई हूँ और जुदाई करा के छोड़गी।" इस प्रकार की धांधली को समात करने के लिये यह आवश्यक है कि डावरी सिस्टम कतई न रहे। मैं इस बिल का विलकूल समर्थन करती हूँ। मुझे आशा है कि सब भाई अपना सहयोग देकर इस बिल को पास करायेंगे और इसको आमों में लागू किया जायेगा और वहां पर इस समय जो धांधली है, उसको समाप्त किया जायगा। विहार के देहान्तों में डावरी सिस्टम के कारण इतनी धांधली है कि लड़कियों को योग्य बर नहीं मिलते हैं। अच्छी लड़की होती है, देखने

सुनने में ठीक होती है, फिर भी डावरी सिस्टम के कारण एक चालीस बरस के अध्योग्य पुँछव के साथ उसका सम्बन्ध होता है और इस प्रकार बहुत सी लड़कियों को दुखी जीवन व्यतीत करना पड़ता है। इसलिए मैं इस बिल का स्वागत करती हूँ और समर्थन करती हूँ।

Mr. Speaker: Shrimati Renu Chakravarty: I am giving opportunities to all ladies.

Shrimati Renu Chakravarty (Basirhat): Mr. Speaker, Sir, I just want to answer certain points which have been raised in the course of the debate since I was associated closely with the work of the Joint Committee. I am not going to answer such questions as what is the use of passing an infructuous law, etc. All social laws, unless they are backed by an awakened social conscience and a strong public opinion, naturally remain infructuous to a very large extent. We have seen that in the case of the Untouchability (Removal of Disabilities) Act and in so many other social laws, but yet, I think this House is of the opinion that it is necessary to back up social consciousness and social movements with legislation. Therefore, how far these measures will be actually implemented or not will depend largely upon us.

The second point which has been raised is whether we are not changing the old traditions and customs in the sense that after all the father or mother would like to provide for the daughter or, in some cases, the son, as the case may be and that therefore, at the time of marriage, money or some provision by way of property, etc. should be allowed. I think that a new concept will have to be evolved by us. Now, for those people who give dowry—in a majority of cases dowry is given really in the case of a daughter—their affection for the daughter remains from the time she is born to the time she dies. I would

like to provide for my daughter actually right through her life. Why should I wait for the time of the marriage? What happens is, in a majority of cases, when a young bride goes to the house of the bridegroom, most of the property—money, cash, jewellery etc.—is actually in the control of the father-in-law or somebody else in the husband's family. Often times, the daughter-in-law is not even able to see the jewellery later on, if she needs it. As the children are born and as their education proceeds, I would like to provide for my daughters. I would like to help her at every stage. Why should there be this concept that only at the time of marriage, I will settle Rs. 25,000 or Rs. 50,000? The whole idea is that dowry is being extorted at the time of the marriage.

In our State, people insure for the education of the son and for the dowry of the daughter at the time of marriage. How far people can really humiliate the father and the mother of the bride has really to be seen and to be believed. That is why this custom of paying a dowry at the daughter's marriage has come into being. Does it mean that we should not give nice clothes or a few items of jewellery to the daughter? Certainly not. Sir, I agree with your interpretation of this definition of dowry. Actually the entire thing hinges on the "consideration for betrothal or marriage". It is not as if even a pie which is given or a small present which is given will fall under the purview of the law and be penalised. Rather you can pass on a lakh of rupees, but still it will be difficult for you to prove whether it is "in consideration" or not. The loophole will remain. When we passed the Suppression of Immoral Traffic Act, many of us objected to the provision that prostitution will be punishable only when it is for "the gain of any other person". It has been difficult and it continues to be difficult in a court of law to prove that it is actually for the gain of any other person. Similarly, we feel that this particular definition will allow people to get away, because it will be very

difficult to prove that it is "in consideration of marriage". But still we have adopted this clause in this form for the simple reason that we do not want to legalise dowry up to a certain extent in any form. If we say that cash, jewellery, etc. given by custom are excluded, then people will say, "This is what I am giving according to custom"; people in the area know it is being given as dowry, but it will pass muster. People will say, "It is written in the law that up to Rs. 2,000 we can give. This is the customary thing which we are giving". So, in spite of the fact that there will be other loopholes, we do not want this loophole to remain, viz., if customary gifts, etc. up to Rs. 2,000 are kept outside the definition of dowry, it becomes legalised dowry. That is why we have adopted this clause in this form, although we know there are difficulties and many people will try to get away, proving that it is not in consideration of the marriage.

Then, I am still doubtful about one point. In our State, and I think it is true of other States also, apart from cash and property, one of the most prevalent forms of dowry is the amount of gold which is to be given to the daughter. It is not actually that this is given out of affection. In our State, it is extorted; it is part of the bride price. viz., you have to give so many tolas of gold for the marriage. It is an understood thing. If it is given by the father to the daughter, I have my doubts if that will be considered as dowry, under its present definition.

Shri P. K. Deo (Kalahandi): It cannot be considered as dowry.

Shrimati Renu Chakravarty: That is also my doubt. Especially in the villages, this is one of the most prevalent forms, because they do not give so much of furniture, utensils, etc. I am talking not of the rich families, but average middle-class families. They extort gold, because gold is the medium of wealth. They demand it in the form of jewellery for the daughter.

Mr. Speaker: If it is proved that it is also in consideration of the marriage, it will come under dowry.

Shri P. R. Patel (Mehsana): If the father gives it to the daughter, it is not given by one party to the other.

Shrimati Renu Chakravarty: I have no legal brain, but I feel that this is not covered under the definition of dowry.

Shri Naushir Bharucha (East Khandesh): There are half a dozen other loopholes like that.

Mr. Speaker: Evidently it was thought that under clause 6, it becomes the property of the woman.

Shrimati Renu Chakravarty: There, the provision is made that in the case of this illegal act of having given dowry, the dowry cannot be eaten away by anybody else, but must be kept in trust for the benefit of the daughter. That is another matter.

Shri Achar (Mangalore): I think it is in consideration of the betrothal or marriage and so it will come within the definition of dowry.

Shri P. R. Patel: No.

Shrimati Renu Chakravarty: One point which I would like my lawyer friends to clarify is, if it is given by the same party, if the bride's father gives to the bride, is it or is it not dowry? I am raising this point because this is one of the most prevalent forms of dowry.

Pandit Thakur Das Bhargava raised the point as to why *mahr* has been excluded. We considered it in the Joint Committee and we have excluded it because, as far as we can make out, *mahr* is not something that is directly exchanged at the time of marriage or out of consideration for marriage, but is a contract which comes into operation if there is a dissolution of marriage. If the marriage goes astray, then *mahr* comes into operation. If that is the meaning, I would

like to exclude it, because it is not given as a consideration of the actual marriage, but it is only a provision coming into operation if there is a dissolution of the marriage.

Shri C. R. Pattabhi Ramam (Kumbakonam): It must be earmarked and set apart.

Shrimati Renu Chakravarty: It is not always set apart. It is only an insurance for the continuance of the marriage.

The other point is regarding the stringent punishment provided. We have felt that social evils are such that it is very difficult to detect them. It is very difficult to get them punished in a court of law, because we have to prove it is in consideration, etc. Then again, if it is only a question of paying fine and getting away with it, many rich people do not care for it. My own opinion is that we must put the people to shame. I would not mind even if you take away the fine and say, there will be only the punishment of imprisonment for 2 days; but let it be imprisonment. That is my point.

Pandit Thakur Das Bhargava: Then the bride shall be punished.

Shrimati Renu Chakravarty: For that it has to be proved whether the bride's or bridegroom's father....

Pandit Thakur Das Bhargava: But you said that even if her mother gives gold, she shall be punished.

13 hrs.

Shrimati Renu Chakravarty: Then, of course, the bride shall be punished. But in most cases, they will be young girls and they will not be punished because parents pay. In my opinion, the question of punishment has to be exemplary.

Then I come to one of the moot questions of this Bill—whether you are going to make it cognizable or not. Of course, the question has been raised and it has been pointed out—there is

no doubt about it—that keepers of the law are mainly the breakers of the law, that is, the police. Nobody trusts them. Not even the Home Ministry trusts the police. Therefore, they do not want to make it cognizable. But if you do not make it cognizable, it is as good as not having it. Of course, there are a few social organisations which will come forward to take up these cases. But we have got to realise that by itself, it will not solve the problem. So, if necessary, if one is not prepared to entrust the police with this, we must have a special branch for this, like the Vigilance Division. Let there be a special branch for the implementation of all social laws. But, unless you make it cognizable, there is no use of passing this Bill.

I would also suggest that we should consider in all seriousness the amendment of Shri Nathwani how and in what form a complaint will be taken cognizance of. He has even made it clear that the enquiries should not be made by persons below the rank of a Deputy Superintendent of Police. I would urge on the Law Minister to consider and accept this amendment. Because, unless you make it cognizable, there is no use of passing this Bill, even in its present form. If you make it cognizable, I know that there will be cases of harassment. That is also a correct criticism. But, then, at least for complaints, let us make it cognizable. Let us amend it in such a way that the Magistrate may take cognizance of the complaint and ask the D.S.P. to go into the matter. Though there are several other amendments, I would urge this House to give consideration to amendment No. 46 of Shri Nathwani. This, I think, would meet some of the points that we raised here.

Let us all remember that it is an evil which is deep rooted in our country. In my State, if you look into the advertisements in any newspaper, you will find that even for working women, B.As. and B.Ts. dowry has to be paid if they are to get married. The

evil sometimes permeates to such an extent, specially in such States as ours, where even working women find that unless they offer dowry it is not possible for them to get married.

Shri P. R. Patel: There may be other reasons.

Shrimati Renu Chakravarty: There may be other reasons also, but this is a fact. We ourselves know that girls in our State cannot be married, and middle class and lower middle class families are put to a lot of suffering because of that. I know it very well, because I have gone from family to family and house to house and I have seen it myself. And although this evil cannot be eradicated until social conscience is developed in this country and towards that end to help and strengthen the rousing public opinion, this Bill should be passed into a law.

Mr. Speaker: I now call the Minister. I will give opportunity to those who could not participate now during the clause by clause consideration.

Shri Maniyangadan (Kottayam): I want to make a statement. My hon. friend, Shri Narayananarkutty Menon said in his speech that this Act could not be implemented, or that it is not intended to be implemented, because....

Mr. Speaker: Is it a question of personal explanation?

Shri Maniyangadan: Not a personal explanation.

Mr. Speaker: That is all right. The hon. Member will have another opportunity.

Shri Maniyangadan: We are not moving any amendment or anything, because this does not require any amendment. My hon. friend said that the Travancore Christian Succession Act should be amended if this Act is to be implemented. I am only submitting that there is no necessity for that. Under the Travancore Christian

[Shri Manyangadan]

Succession Act, *Stridhanam* is defined as—

"any money or ornament or property paid by the father or mother of the girl to the girl or, on her behalf, to her husband or the husband's father".

So, if *Stridhanam* is paid, it is her property, and section 8 of the Act makes it clear that it is her absolute property, she can claim it at any time and there is no bar of limitation. If that property is given in that way, or promised to be paid in that way, she will have no right to the property of her father. If there is no such promise, then she is entitled to her paternal property, as in the case of any other son, and so there is no necessity of amending the Travancore Christian Succession Act for the purpose of this Act. If there is only a promise, it is specifically mentioned in the Act that that will be a charge on the property. So, there is absolutely no necessity to amend the Travancore Christian Succession Act.

Mr. Speaker: It is not a matter under discussion.

Shri Narayananakutty Menon (Mukandapuram): It is only a difference of outlook.

Mr. Speaker: *Mahr* is exempted; likewise, acts done under the Christian Succession Act are also exempted.

Shri Hajarnavis: I thank the hon. Members who have supported this measure and I share with them some of the apprehensions which have been felt about whether by this Bill we will be able to eradicate this evil and pernicious system completely.

At this stage, the criticism which has been made on the Bill can be divided under the following heads. First of all, the definition of the word "dowry" has been criticised. Here a detailed answer to criticisms on this score, I will leave till we come to discuss the Bill clause by clause. Regard-

ing the apprehension which has been felt by the hon. Member, Shrimati Renu Chakravarty, about any gold or any other property given to the bride being treated as dowry—and this apprehension was voiced at the earlier stage also—I gave my reply then and I do it now, and that is this. Even such a case falls within the definition, because if you read the definition, you will find:

"dowry" means any property or valuable security given or agreed to be given, whether directly or indirectly, to one party to a marriage"

that is to say, the bridegroom

"or to any other person on behalf of such party...."

Now, the expression "any other person" has the widest amplitude, and it includes everyone except the bridegroom. So, the definition reads:

"to one party to a marriage or to any other person on behalf of such party".

Shri P. R. Patel: "By the other party".

Shri Hajarnavis: I hope I shall not be interrupted when I am explaining. The payment has to be made by one party to a marriage. Now, it may be made to the bridegroom himself, he is a party to the marriage or "to any other person on behalf of such party".

Shri P. R. Patel: "by the other party".

Mr. Speaker: Hon. Member should hear instead of interrupting.

Shri Hajarnavis: The expression "any other person" would include everyone except the bridegroom himself. Therefore, if the gold or property is paid to the bride on behalf of the bridegroom, that is to say, the destination of that property is the bridegroom himself, then I submit he is within the section. But I might make it clear that we are considering, if possible, whether this section, or

this definition, may not be re-arranged so that the whole thing may be made clear.

Shri P. R. Patel: Is it not governed by the word "other party"?

Mr. Speaker: The hon. Member has repeated it a dozen times. The hon. Minister must be allowed to go on.

Shri Hajarnavis: To that my answer would be this. It is a rather unusual case, that the bride herself pays, but suppose somebody on behalf of the bride pays—her father or guardian. That payment is made on behalf of the bride. Now, that payment may be made either directly to the bridegroom, or it may be made to some person on behalf of the bridegroom. That person may be the bride herself. If this is not a voluntary gift to the bride but something which shall ultimately find its way to the bridegroom, then this is dowry. I do not find any limitation on the expression "any other person" so that it will exclude from its connotation the word "bride". It may be the bride's father pays to her, but the real destination, or the real recipient of that property may be the bridegroom himself. So far as the definition of the words "any other person" is concerned, the hon. Members will recall the very famous Privy Council case in which it was decided that "any person" would mean "every person". There is no limitation so far as the words go. In order to make that clear, at the stage of the Joint Committee, we used the words directly or indirectly. Again, as I said, we are further examining the matter as to whether that definition cannot be re-arranged so that even if the payment is made or if the property is handed over to the bride herself, such a case would be covered by the definition. We are examining the question whether the words may not make it clear. At this stage, I leave the point at that.

So far as dower is concerned, I am grateful to the hon. Member who has explained what exactly dower is. The

real intention of this Bill is to protect the weaker section of society, that is to say, the bride or her parents or guardians who are unable to marry her because they do not have money and such money ought not to be extorted out of them. In order to prevent this evil custom, we are trying to place this measure on the statute-book. Dower is something entirely different. It is either prompt dower, or deferred dower. Prompt dower is always a small sum, deferred dower is very large. That is intended as a protection of the weaker section of society, namely, Muslim women. It is easy for a Muslim marriage to be dissolved on three words being spoken by the husband: 'Talak, talak, talak', the marriage is at an end. So that, the woman is completely at the mercy of her husband. In order to put a fetter upon this right, which may be lightly exercised, they say, in such a case, the woman shall be entitled to deferred dower. Therefore, I submit, dowry as understood in other communities, and mahar as understood among Muslims are entirely different. It would be quite in keeping with the spirit of the Bill for the right of dower to be protected to the Muslim women rather than to be taken away.

I have already made it clear that where voluntary gifts are made either by the parents or relations in any form in any extent, they are not dowry. I will only be quoting the words of Shrimati Renu Chakravarty when I say that what we intend to prohibit is extortion of property out of unwilling hands of the parents. Whoever wants and is willing to give is free to give. Which one of us, on the occasion when girls from our families are married, would not like to give as a token of our affection something which we can give, which we are in a position to give? Therefore, I am considering the question and I am leaving it to the House whether any explanation such as Pandit Thakur Das Bhargava has suggested may not be necessary.

I have made this clear and to any lawyer who is acquainted with the

[Shri Hajarnavis]

doctrine of consideration, it will be clear that unless the money paid is the consideration for marriage, I am repeating what fell from you the other day, unless the money or property passed as consideration for the marriage, the mere passing of money is not within the section at all. Since this measure has to be cast in a legal form, I submit we were right in using the word consideration.

Though we have agreed with Shrimati Renu Chakravarty on most of the matters, I cannot agree with her in her suggestion that the offence should be made cognisable. I have listened with deep emotion to the moving speech by the hon. lady Member Shrimati Ila Palchoudhuri yesterday in which she said how a marriage ceremony would be blighted by either a person who intended to blackmail the parties or the policeman who has more enthusiasm than discretion. First of all, let us understand the manner in which the penal provisions of this Bill are going to take effect. Before a man is brought to book, the offence must be proved. It is not intended that a mere prosecution itself will act as a punishment, because the prosecution itself may be without reasonable or probable cause. It may be because some one wants to blackmail a person; it may be that the police have got information which is not quite correct. So, the prosecution is nothing. Any one who undertakes an unjustified prosecution will have to explain and probably will have also to be liable for damages as to why the thoroughly unjustified prosecution has been undertaken.

But, the question is, how is this offence going to be proved. Unless the offence is proved, there will be no punishment. There would be absolute necessity to get the evidence on record which the court would accept as reliable evidence before finding the accused guilty. Who are the parties in whose possession the evidence will be? Unless that person is willing to go not only to the police, but before the

magistrate and also subject himself to cross-examination, there is no possibility of any offender under this Act being brought to book. By merely making it cognisable, all that we do is, the police by themselves, on a mere complaint being made, without the interposition of the magistrate, would be able to carry on investigation. But, as I said, unless there are persons who are willing to give evidence on oath before the magistrate, which shall be tested by cross-examination, there shall be no possibility of obtaining a conviction under this Act. How will it help if the offence is merely made cognisable? If there is no evidence, if there is no person who is willing to make a complaint, how will the police, even if the offence is made cognisable, be able to proceed?

Shri Naushir Bharucha: Powers of investigation, the police have got.

Shri Hajarnavis: Even if investigation is made, investigation must disclose evidence. Evidence would mean persons who are willing to give evidence. Unless they are there, what is going to happen to the case?

There is another thing. The difference between the proposal of those who advocate making the offence cognisable and the Bill as it stands at present, is very thin. Under the Code of Criminal Procedure, as soon as a complaint is made to a magistrate, the magistrate has got to examine the complainant on oath and then either issue a summons or a warrant to the accused. The magistrate can, instead of issuing summons or warrant, also send it to the police for enquiry if the magistrate thinks that an investigation is necessary. That is not ruled out at all. I believe that is section 202 which permits the magistrate receiving a complaint to forward that complaint to the police for enquiry and investigation.

Shri Raghbir Sahai (Badaun): Or he may examine one or two witnesses himself.

Shri Majumdar: Police investigation is not completely ruled out; but it is undertaken under the control and supervision of a court—a very salutary protection, the House will agree. Therefore, I submit, on this particular point, I am not in a position to accept at this stage, before the effect of the Act is seen, that the offence should be made cognisable. I share the view which was expressed so forcefully and eloquently by Shrimati Ila Palchoudhuri.

As regards the offence being punishable with both the punishments, we ourselves when we made the proposal said, that the punishment should be alternative. On this particular matter, we have no views. But, my personal reaction is, it would be better to leave the discretion to the magistrate who can always fit the punishment to the dimensions of the offence. It may be at the most a technical offence, and if there is a technical offence, then the Magistrate will visit it with a light punishment. Therefore, on this particular matter, I will leave it to the wisdom of the House as to whether both punishments should be made compulsory, or alternative punishment should stand.

Then there is the question of the giver being punished. Here also I submit we shall abide by the decision of the House as to whether a person who has been forced to give should be subjected to the penal provisions of this Act. It has been likened to payment of bribery. I do not think the two things are quite the same, that there is anything parallel between the two things. The bribe-giver does something which is inherently wrong; he is trying to tempt an officer to deviate from the straight path of his official duty, trying to gain a favour to which he is not entitled by means which are unethical, which are immoral, which are illegal, and therefore the bribe-giver is also responsible as much as the bribe-taker. But here we are dealing with a custom which has obtained for hundreds of years in this country. A man has

got to find a husband for his daughter or ward and if necessary pay the money. He does it because he is forced to do it, and therefore that case may be differentiated. But I say again that I will leave this matter to the House to determine whether the clause in that form should remain or not.

I move.

Mr. Speaker: The question is:

"That the Bill to prohibit the giving or taking of dowry as reported by the Joint Committee, be taken into consideration."

The motion was adopted.

Clause 2—(Definition of "dowry").

Mr. Speaker: Now we will take up the amendments.

Shri Jadhav (Malegaon): I beg to move:

Page 1.—

after line 18, add—

'Explanation II.—Customary presentation of *Mangalsutram* and clothes to the bride or bridegroom worth one hundred rupees shall not be treated as dowry.' (49).

Shri P. R. Patel: I beg to move:

(1) Page 1, line 13,—

after "marriage" where it occurs for the first time, insert "within a year". (2).

(2) Page 1,—

after line 18, add—

'Explanation II.—If the value of the property or valuable security exceeds two thousand rupees, the court may presume that it was given or agreed to be given as dowry'. (3).

Pandit Thakur Das Bhargava: I beg to move:—

(1) Page 1,—
for clause 2, substitute—

"2. In this Act, 'dowry' means any property or valuable security given or agreed to be given to the bride, her parents or guardian or any other person on her side by the bridegroom, his parents or guardian or any other person on his side or to the bridegroom, his parents or guardian or any other person on his side by the bride, her parents or guardian or any other person on her side for the purpose of bringing about the marriage or by way of consideration for the marriage, but does not include any settlement or gift of any property from one spouse to the other or any dower or *mahr* among Muslims.

Explanation.—Any presents of ornaments or other articles customary on the occasion of the marriage by friends and relations of the spouse will not be regarded as dowry unless they are made for the purpose of bringing about marriage or as consideration for the marriage." (15).

(2) Page 1, line 9,—

omit "whether directly or in directly". (16).

(3) Page 1, lines 14 and 15,—

Omit "but does not include dower or *mahr* in the case of persons to whom the Muslim Personal Law (Shariat) applies." (17).

(4) Page 1, line 15,—

add at the end—

"or any settlement or gift of any property from one spouse to the other." (18).

(5) Page 1, after line 15, add—

"Provided that no property given or agreed to be given by

the husband to the wife or vice versa shall be regarded as dowry:

"Provided further that any presents of ornaments or other articles by friends or relations of the spouse not given for the purpose of procuring a consideration for such marriage will be regarded as dowry, nor shall any entertainment on the occasion of marriage by any person be regarded as dowry." (19).

(6) Page 1,—

for clause 2, substitute—

"2. In this Act, 'dowry' means any property or valuable security given or agreed to be given to the bride, her parents or guardian or any other person on her side by the bridegroom, his parents or guardian or any other person on his side or to the bridegroom, his parents or guardian or any other person on his side by the bride, her parents or guardian or any other person on her side for the purpose of bringing about the marriage or by way of consideration for the marriage, beyond the reasonable financial competence of the person giving or agreeing to give, but does not include any settlement or gift of any property from one spouse to the other or any dower or *mahr* among Muslims.

Explanation.—Any presents of ornaments or other articles customary on the occasion of the marriage by friends and relations of the spouse will not be regarded as dowry unless they are made for the purpose of bringing about marriage or as consideration for the marriage." (67).

(7) Page 1, line 12,—

after "party" insert—

"beyond the reasonable financial competence of the other party or any other person on behalf of such other party". (68).

Shrimati Parvathi Krishnam: I beg to move:

Page 1.—

for lines 8 to 15, substitute—

"2. In this Act, 'dowry' means any property or valuable security given or agreed to be given by the parents or guardians of the bride or groom or any other person on their behalf either to the bride or groom or to his parents, guardians or to any other person on their behalf either at the marriage or before or after the marriage as consideration for betrothal or marriage of the said parties." (7).

Shri Nathwani (Sorath): I beg to move:

(1) Page 1, line 10.—

after "party to a" insert "betrothal or" (39).

(2) Page 1, line 10.—

omit "on behalf of such party" (48).

Shri Manabendra Shah (Tehri Garhwal): I beg to move:

Page 1, lines 14 and 15.—

for "dower or *mahr* in the case of persons to whom the Muslim Personal Law (*Shariat*) applies".

substitute—

"any presents made at the time of the marriage in the form of cash, ornaments, clothes and articles not exceeding in value in the aggregate—

- (a) in the case of persons paying income-tax up to 2 per cent. of their wealth; and
- (b) in other cases up to five hundred rupees." (72).

Shri Bhakt Darshan: I beg to move:

Page 1, line 8.—

after "security" insert—

"whose value exceeds five hundred rupees." (23).

Mr. Speaker: All these amendments are before the House. I will give first chance to those who have not spoken so far.

Shri D. C. Sharma (Gurdaspur): I wish to oppose this, Sir.

Mr. Speaker: Shri Jadhav.

श्री जाधव : अध्यक्ष महोदय, मैंने इस बिल में तीन संशोधन पेश किये हैं। पहला संशोधन कलाज 2 का है। दूसरा कलाज 7 का है और तीसरा 5 का है। चूंकि मेरे ये सभी संशोधन परस्पर संबंधित हैं, इसलिये मैं दरम्बास्त करता हूँ कि मुझे इन तीनों पर साथ साथ बोलने की इजाजत दी जाये। मैं समझता हूँ कि इस बिल पर इस सदन के मान्यवर सदस्यों ने जो बहस की उसके दौरान में बिल की जिस बुनियादी चीज की तरफ ध्यान दिया जाना चाहिये था, उसकी तरफ ध्यान नहीं दिया है। और उस बुनियादी चीज को नहीं देखा है। बास तौर पर मुझे पंडित ठाकुर बास भाग्नव जी के भाषण को सुनकर बहुत पुःख बूझा है। वह इस सदन के बहुत पुराने सदस्य हैं। उन्होंने जिस तरीके से इस बिल पर रोकनी चाली है वह बहुत पुःख की बात है। इस बिल को मैं अपनी समाज की बुनियाद मानता हूँ। यह बिल हिन्दुस्तान की जो आबादी है, उसको स्पर्श करता है, जो समाज है, उसको स्पर्श करता है। जिस सोसाइटी की तरफ मेरे माननीय सदस्य ने रोकनी चालने की कोशिश की है, पंजाब की सोसाइटी उन्होंने कहा और साथ ही साथ मैं समझता हूँ कि उन्होंने हाथर स्ट्रेटा आफ सोसाइटी को सामने

[भोजावल]

रखने की कोशिश की, लेकिन पूरे हिन्दुस्तान की सोसाइटी का नक्शा ऐसा नहीं है। हिन्दुस्तान में जो एकजुट फैमिली है, उसकी इनकम क्या है, यह अपको देखना होगा।

प्राज जो सोसाइटी के ठेकेदार खुद को कहते हैं, वे ही सोसाइटी के ठेकेदार नहीं हैं। वे लोगों के सामने ऐसी बातें रखने की कोशिश करते हैं, जिससे कि सोसाइटी बिगड़ जाये। सोसाइटी के जो बड़े बड़े ठेकेदार हैं, उनके पास जो बन एकत्र होता है, वह कहां से आता है? भेदभाव करके वह धन इकट्ठा नहीं किया जाता है, वह तो दूसरे ही तरीकों से आता है। उस धन को वे लोग अपनी लड़कियों की शादियों में दे देते हैं, फनिचर जोकि बहुत कीमती होता है, दे देते हैं, मोटर कार दे देते हैं, इसका असर यह हुआ है कि जो मध्य वर्ग के लोग हैं, किसान हैं, मजदूर हैं, उन पर भी उनकी करतूलों का असर पड़ा है और वे लोग भी इसकी कोशिश कर रहे हैं कि उनके जो पड़े लिखे लड़के हैं, उनकी शादी में भी इन्हें आये और वे भी इसकी मांग करते हैं।

मैं ने देखा है कि हर फैमिली में जब मां के लड़की पैदा होती है, तो उसकी आंख से आंसू निकल आते हैं। मैं समझता हूँ कि यह नक्शा पंडित ठाकुर दास भाग्यवा या हमारी जो बहनें यहां हैं, उनके सामने नहीं हैं। जब माननीय स्पीकर माहब ने यहां पर हमारी बहनों को बोलने के लिये पकारा तो मैं ने कहा कि वे बहुत खुशकिस्मत हैं कि उनको बोलने का अवसर दिया जा रहा है और उनके नाम आ रहे हैं, एक के बाद एक औरत को बोलने का भोका दिया जा रहा है, लेकिन मैं समझता हूँ कि जिस जोर से उनको इस बिल पर अपने विचार प्रटकरने चा हिये थे, उस जोर से उन्होंने प्रकट नहीं किये हैं।

13.28 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

मैं यह भी चाहता था कि यह बहुत इस बिल पर यहां चर्चा चल रही है, तो हमारे हिन्दुस्तान की हर स्टेट से हमारी बहनों का, जिन पर इसका असर पड़ता है, एक एक भोर्ड आये और वे बतलायें कि क्या इसका असर होगा। कुछ दिन हुये मैंने भक्तारों में पढ़ा था कि विजिण में एक ऐसा बाब्या हुआ है कि जब एक कुनबा एक लड़की की शादी नहीं कर सका तो उस कुनबे के सात भाइयों ने सुदकशी कर ली। यही एक बाब्या नहीं है। हर जगह पर इस तरह के बाब्यात होते रहते हैं, हर देहात में होते हैं और ये बहुत तकलीफ देने वाले होते हैं।

हमारे प्रेजीडेंट साहब ने जब सेशन शुरू हुआ था अपनी तकरीर में कहा था कि कितने ही कानून पास हो रहे हैं और कितने ही कानून इस सदन ने पास किये हैं। मैं समझता हूँ कि जहां वे कानून पास किये गये हैं, उनमें एक यह भी पास हो जायेगा और इसमें खुशी मनाने की कोई बात नहीं है। इसका कारण यह है कि इसका क्या असर होने वाला है, यह देखने वाली बात है। यह कानून हमारी समाज की एक बुनियाद होने वाला था और अब अगर इस कानून को हम इस तरह से देखेंगे और इसको अमल में लाने की कोशिश करेंगे तब तो कुछ इससे लाभ होने वाला है वर्ता नहीं।

बूकि में चाहता हूँ कि यह बिल ईफेक्टिव हो, इस बास्ते इसकी डेफिनिशन में एक एक्सप्लेनेशन जोड़ा है। श्रीमती रेणु चक्रवर्ती ने कहा है कि अगर एक पिता अपनी लड़की की शादी में दस तोला या बीस तोला सोना देता है और वह भी अगर इस बिल से कवर नहीं होता है तो बहुत नुकसान होने वाला है। हम चाहते थे कि माननीय मंत्री महोदय इस पर रोधानी डालते। लेकिन उन्होंने ऐसा किया नहीं है। इस बास्ते मैंने एक्सप्लेनेशन जोड़ा है और उसमें कहा है कि मंगलसूत्र के सिवा जोकि कस्टमरी है शादी के बहत और कुछ भी दिये जाने की इजाजत नहीं होनी चाहिये।

दूसरी बात यह है कि सौ रुपये से ऊपर के करपटे नहीं दिये जाने चाहियें।

इसके साथ साथ मैं यह कहना चाहता हूँ कि इसको पूरी तरह से अमल में लाया जावे। अगर आप इसको कागनिजेबल आफेस नहीं करते हैं, तो इसको अमल में लाने में बहुत तक्षीक होगी। माननीय मंत्री जी ने कहा कि तीसरी पार्टीया आगे आनी चाहियें। मैं नहीं कह सकता हूँ कि कौन आदमी आगे आयेगा। अगर यह कागनिजेबल केस होता है, तो प्राइमा केसी केस जब तक नहीं बनेगा तब तक पुलिस उस केस को मैजिस्ट्रेट के पास नहीं भेजेगी। इसवास्ते मैं चाहता हूँ कि एक सो इसे कागनिजेबल होना चाहिए और दूसरे नान-बेलबल भी होना चाहिए। जब तक डिटरेट पनिशमेंट नहीं होती है और जब तक लोगों को यह मालूम नहीं होता है कि समाज के लिलाक जो गुनाह करता है, उसको कड़ी से कड़ी सजा होगी, तब तक इस कानून से कोई ढरने वाला नहीं है, तब तक इस कानून को शौक के साथ देखने वाला कोई नहीं है। इस वास्ते मैं ने धर्पनी एमेडमेंट नम्बर ४६ मूँब की है और जो दूसरी दो धर्पेंडमेंट्स में ने पेश की हैं, उनको लाली में मूँब ही करांगा, उन पर बोलूगा नहीं।

Mr. Deputy-Speaker: The hon. Minister wants to move an amendment to clause 2. Therefore, let us hear him first. If he is going to substitute clause 2, then, perhaps, some of the amendments might be dropped and might not be pressed.

Shri Hajarnavis: I shall be meeting largely the wishes of Pandit Thakur Das Bhargava and Shrimati Parvathi Krishnan.

I beg to move:

Page 1,—

for clause 2, substitute—

2. Definition of "dowry".—In this Act, "dowry" means any

property or valuable security given or agreed to be given—

- (a) by one party to a marriage to the other party to the marriage; or
- (b) by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person on behalf of either party;

at or before or after the marriage as consideration for the betrothal or marriage of the said parties, but does not include dower or *mahr* in the case of persons to whom the Muslim Personal Law (*Shariat*) applies.

Explanation I.—For the removal of doubts, it is hereby declared that any presents made at the time of a marriage to either party to the marriage in the form of cash, ornaments, clothes or other articles, which by custom or usage are made at the time of a marriage by any person to either party to the marriage, shall not be deemed to be dowry within the meaning of this section, unless they are made as consideration for the betrothal or marriage of the said parties.

Explanation II.—The expression "valuable security" has the same meaning as in section 30 of the Indian Penal Code. (45 of 1860). (82).

Shri Naushir Bharucha: I submit that a material change should not be inserted by Government in the most material clause in the whole Bill when that clause itself is under consideration. This is the only clause in the whole Bill which requires very careful analysis. But we find that at the last minute, a material change is being made, and we have no opportunity to consider the change.

Mr. Deputy-Speaker: If a very strong demand is made on behalf of the Members, and the hon. Minister

[Mr. Deputy-Speaker]

is going to meet them to a certain extent, then should I ask him not to do so?

Shri Naushir Bharucha: I am not suggesting that he should not make a change.

Mr. Deputy-Speaker: I shall see that copies of this amendment are distributed just now, and the Members can have a look into it. Meanwhile, we shall proceed with the discussion.

Shrimati Parvathi Krishnan: How can we discuss it without having that amendment in hand? It would be much better if the discussion of this particular clause is held over.

Mr. Deputy-Speaker: Hon. Members may discuss their own amendments which they have moved, and meanwhile, study this also.

Shri P. R. Patel: The most important part of the Bill is the one relating to the definition.

Shri Naushir Bharucha: Why not hold over the Bill till tomorrow?

Shri P. R. Patel: When the definition is changed, it becomes a new Bill. Therefore, the hon. Minister may withdraw the present Bill and introduce a new Bill.

Shri Hajarnavis: This is not a new Bill; this is not a new definition at all.

Shrimati Parvathi Krishnan: This is a new definition.

Mr. Deputy-Speaker: If hon. Members have moved certain amendments, and the hon. Minister is trying to accept some of them and meet them half way, it would not be something very strange to Members who have already moved those amendments.

Shrimati Parvathi Krishnan: If any of us want to oppose this amendment, how can we do so unless we have the

amendment in our hands? Unless we are able to read it, how can we express our opinion on that amendment?

Mr. Deputy-Speaker: The hon. Member has moved certain amendments and the hon. Minister says that he is trying to meet Shrimati Parvathi Krishnan's demands.

Shrimati Parvathi Krishnan: I may not oppose, but I would like to be in a position to judge that. So, unless we have the amendment in our hands, how can we judge it?

Mr. Deputy-Speaker: I shall see that copies of the amendments are given to hon. Members.

Shrimati Parvathi Krishnan: May we discuss this, after those copies are circulated?

Shri Naushir Bharucha: In that case, I shall move formally that the consideration of the Bill be held over till tomorrow.

Mr. Deputy-Speaker: It is for the House to decide.

Shrimati Parvathi Krishnan: The definition is the crux of the Bill.

Pandit Thakur Das Bhargava: The amendment which is now being made is not a new one. The hon. Minister has already submitted before the House, at the suggestion of the Speaker, that voluntary gifts are excluded. That is all that has been done. There is nothing else.

Shri Hajarnavis: May I just give the gist of the amendment? So far as the first part is concerned, if Shrimati Parvathi Krishnan were to refer to her own amendment, she will find that there is absolutely no difference between her amendment and mine, except that for the words 'bride and bridegroom', I have used the words 'either party'. If she is opposed to that amendment, then, I have nothing

to say; I shall be prepared to withdraw my amendment.

Shrimati Parvathi Krishnan: I was not saying that I am opposing any part of it, but only this, namely that it is very difficult to follow the whole amendment when it is just read out like this. After all, we have to study it first.

Shri Hajarnavis: So far as the first part is concerned, it is the same as the hon. Member's amendment, except that we have used the words 'either party' instead of the words 'bride and bridegroom'.

Shrimati Parvathi Krishnan: If the hon. Minister could read it part by part, and sentence by sentence, then it would be all right. We have not been able to follow the long Explanation which follows the definition.

Shri Hajarnavis: I shall read it out again. It reads thus:

"In this Act, 'dowry' means any property or valuable security given or agreed to be given....."

This is from the old Bill itself—

"(a) by one party to a marriage to the other party to the marriage; or....."

—this is also in the original definition, and this has remained unchanged even after the Bill has emerged from the Joint Committee. Then, it reads:

"(b) by the parents of either party....."

—this has been taken from the hon. Member's amendment.

"....to a marriage or by any other person,...."

—this is also taken from the hon. Member's amendment—

"....to either party to the marriage...."

We have used the words 'either party' instead of using the words 'bride or bridegroom'.

"....or to any other person on behalf of either party;"

Except for the expression 'either party' instead of 'bride or bridegroom', this is more or less the same as the hon. Member's amendment.

Shrimati Parvathi Krishnan: Then, after that, the Explanation follows. That is also part of the amendment.

Shri Hajarnavis: If the hon. Member sees the amendment moved by Pandit Thakur Das Bhargava, she will see that it is almost the same as this. It reads thus:

"Explanation I.—For the removal of doubts, it is hereby declared that any presents made at the time of a marriage to either party to the marriage in the form of cash, ornaments....."

Shrimati Parvathi Krishnan: That covers 'ornaments' also?

Shri Hajarnavis: The Explanation reads thus:

"....clothes or other articles, which by custom or usage are made at the time of a marriage by any person to either party to the marriage, shall not be deemed to be dowry within the meaning of this section, unless they are made as consideration for the betrothal or marriage of the said parties."

Shri Naushir Bharucha: Does the hon. Member want to include that also in his amendment?

Shri Jadhav: We do not want that.

Mr. Deputy-Speaker: I have already stated that I shall ask the office to distribute these copies; meanwhile, we shall take up the other clauses.

Some Hon. Members: That would be better.

Mr. Deputy-Speaker: Meanwhile, hon. Members who are very much interested in this may study this.

Pandit Thakur Das Bhargava: There are other amendments also which are before you; and by the time this amendment comes, let those be discussed.

Shri Hajarnavis: We may discuss it, but the voting may be deferred till the very last.

Mr. Deputy-Speaker: This is what the hon. Members want. They say that they are not able to discuss it unless they have seen the amendment itself. This is their demand. So, I shall ask the office to see that copies of this amendment may be distributed to hon. Members.

Pandit Thakur Das Bhargava: All this is included in my amendment, except for one small point.

Mr. Deputy-Speaker: I think what I have stated would satisfy hon. Members, because objections are being taken. Meanwhile, we shall take up clause 3.

Shri P. R. Patel: How is it possible to discuss the other clauses? The whole Bill consists of only seven or eight clauses. The main clause is the one relating to the definition of dowry. Whatever punishment and other things are provided for in the other clauses will depend upon this. The main question is about the definition of dowry.

Mr. Deputy-Speaker: So far as the voting is concerned, I shall put the clauses in the order in which they are; but, meanwhile, we can discuss clause 3. Where is the harm in discussing it? I shall not put clause 3 to vote before clause 2.

Shri Naushir Bharucha: Then, the discussion would be very unreal.

Mr. Deputy-Speaker: I do not know how it would be very unreal, when it is said that this amendment is the same as have been moved by other hon. Members. Hon. Members have seen them; they have studied them, and they are taking part in the discussion, and still, it is said that it would be very unreal; I do not appreciate that point.

I will hold over this clause. Meanwhile, we will take up clause 3.

Clause 3—(Penalty for giving or taking dowry)

Mr. Deputy-Speaker: Hon. Members who wish to move their amendments may do so.

Shri P. R. Patel: I beg to move:

(1) Page 2, line 1,—

omit "gives or" (4).

(2) Page 2,—

for lines 3 and 4, substitute—

"with fine which may extend to twenty times the amount of dowry". (5).

Pandit Thakur Das Bhargava: I beg to move:

(1) Page 2,—

for lines 3 and 4, substitute—

"with fine which may amount to five times of the value of such dowry or two thousand rupees whichever sum is higher and shall also be liable to imprisonment for a period of one month." (20).

(2) Page 2,—

after line 4, add—

"(2) Out of the amount realised as fine, the court shall be competent to award such sums, as it considers suitable, to the aggrieved person to make up the financial loss incurred, as a result of giving of the dowry and prosecution of the case." (70).

Shri Bhakt Darshan: I beg to move:

(1) Page 2, line 2—

omit "giving or". (25).

(2) Page 2, line 3—

omit "imprisonment which may extend to six months, and also with". (26).

Shri Nathwani: I beg to move:

(1) Page 2, line 3,—

for "and also" substitute "or" (41).

(2) Page 2, line 4,—

after "rupees" insert "or with both". (42).

Shri Balmiki (Bulandshahr—Reserved—Sch. Castes): I beg to move:

(1) Page 2,—

(i) line 3, for "six months" substitute "three months"; and

(ii) line 4, for "five thousand rupees" substitute "two thousand rupees" (64).

(2) Page 2,—

after line 4, add—

"(2) If any person is guilty of 'Bakher' or 'Aag Dhunvan' he shall be punishable with imprisonment which may extend to two months and also with fine which may extend to one thousand rupees.

(3) If any person takes or abets the taking of bride-price, he shall be punishable with imprisonment which may extend to three months and also with fine which may extend to two thousand rupees." (65).

Shri Manabendra Shah: I beg to move:

Page 2,—

for clause 3, substitute—

"3. If any person after the commencement of this Act,—

(a) takes dowry, he shall have to forfeit money in cash equivalent to its value, to the State,

(b) abets in giving or taking dowry, he shall be punishable with simple imprisonment which may extend to six months, or with fine which may extend to two thousand rupees, or with both." (60).

Mr. Deputy-Speaker: All these amendments are before the House. Hon. Members who have not spoken so far may speak now.

Shri P. R. Patel: My amendments are Nos. 4 and 5. I would deal with the attempt made in the Bill to penalise the giver of dowry. To prove that a dowry is given, there must be some evidence. The evidence would come either from the giver or the taker, because there cannot be any documents regarding the payment or receipt of dowry. If we are going to penalise the giver, how are we going to get evidence? Furthermore, we have to consider the social circumstances too.

In our society, some people are obliged to give dowry. They are not willing to give dowry but because of the social custom, because they have to find a suitable husband for their daughter, they are obliged to give dowry. In one way, it is exploitation by the other party. Would it be desirable to punish a man who is exploited or obliged to give dowry? That is also a matter to be considered.

Then again, we want to send these people to jail compulsorily because the penal clause is that there should

[Shri P. R. Patel]

be a jail sentence plus some fine. Some months back, we passed the Probation of Offenders Bill. At that time, many of us said that by sending a man to jail, the man is not reformed. That was for offences of a criminal nature. We said that except in the case of sentences of heavy punishment like capital punishment or imprisonment for life, they should not be sent to jail. Now here payment of dowry is not a criminal offence. It is a social evil. We are punishing a man for committing a social evil. Would it be desirable to send such a man to jail and put him in the company of criminals? After all, it is a social evil. It is not desirable to send him to jail. Instead, he may be fined and the fine may be twenty times the amount of dowry. Suppose he has paid Rs. 5000. The fine may be Rs. 1 lakh. I think that would be sufficient punishment and it would set an example.

Mr. Deputy-Speaker: If that amount is not paid, he shall have to go to the same criminals.

Shri P. R. Patel: If he would prefer to go to jail rather than pay the fine, that is a different question. But it is not desirable that for this social evil, a man should be sent to jail.

Furthermore, the dowry system has arisen due to the social status of persons. Dowry is exacted by a person who has got some social status in the society. If we look into history, what do we find? People who have been zamindars, amins or patils under British rule or under the Muslim rule, had achieved a certain status. Because of that status, they were able to exact dowry. Now the position has changed. Now there is a new social status. I hope my hon. friends here will agree with me, and pardon me if I am very frank on this point: the social status now is that of the position due to people being MPs, MLAs and being influential members of the ruling party. I daresay that

dowry amounts increase with the increase in position. The view position occupied by people demands dowry.

As I said, after all, this is a social evil. I am convinced that we cannot cure this disease by any amount of legislation. I am against dowry. In my whole life, I have performed marriages of my children, my sons and my daughters. I have never exacted or asked for a dowry.

Shri Braj Raj Singh (Firozabad): No such personal explanation was necessary.

Shri P. R. Patel: As I said, no amount of legislation will cure this disease. It will rather increase the tendency. So I submit that we better punish such persons by a fine; let it be a heavy fine, but let not those persons be sent to jail where they will not be reformed, where they will rather learn some bad things from the criminals. Therefore, sentencing people to imprisonment for the offence would not be desirable in the interest of the society at large and the country at large.

श्री भक्त बर्जन : उपाध्यक्ष महोदय, मैंने जिन संशोधनों की सूचना दी है, मुझे प्रसन्नता है कि मंत्री महोदय ने अपने भाषण में उस मिदान्त को स्वीकार करने का प्रयत्न किया है। वे मेरी बात से सहमत हैं और आशा है कि वे मेरे संशोधनों को स्वीकार कर लेंगे। यह उनकी बड़ी उदारता है।

मैं समझता हूँ कि इस देश के अन्दर पिछले वर्षों में जितनी अधिक संस्था में नये नये कानून पास किये गये हैं, संसार का कोई भी लेजिस्लेचर या कोई भी संसद इतनी अधिक संस्था में कानूनों को पास नहीं करती ही ली। मंत्री जी सिर फिल रहे हैं, वह मुझ से ज्यादा जानकार है। मगर

आम जनता के अन्दर यह भावना है कि इस सदन के अन्दर हम जिन कानूनों को पारित करना अपेक्षा कठिन समझते हैं उन कानूनों पर कितना अमल हो रहा है, कितना व्यवहार किया जा रहा है, और उनके द्वारा समाज का कितना सुधार या संशोधन हो रहा है, इस पर हम व्यापक नहीं देते। मैं विधि मंत्री जी से निवेदन करना चाहता हूँ कि यदि वे प्रति वर्ष इस सदन के सामने कुछ तथ्य रखें, एक रिपोर्ट रखें कि जो कोनून इस संसद ने पहले पास किये हैं वे कितने अमल में लाये गये या उनसे समाज का कितना सुधार हुआ, तो बहुत हृपा होती।

इस कानून को व्यावहारिक बनाने के लिये, जैसा कि मेरे मित्र पटेल साहब ने कहा, अगर हम वहेज देने वाले को भी दंडित करेंगे तो मैं समझता हूँ कि गवाहों निलंबन का रास्ता ही बन्द हो जायेगा। जो दहेज देने वाला व्यक्ति है वह कभी भी अक्षरी से उसको नहीं देता है, समाज की परिस्थिति उसको मजबूर करती है, वह रोता है, कलपता है और अपने घर के अन्दर अविवाहित बड़ी उम्र की लड़की को देख कर मजबूरन उसको दहेज देना पड़ता है। किसी न किसी प्रकार से उसे अपनी लड़की, वहन या भतीजी का विवाह करना ही पड़ता है। अगर हम उस व्यक्ति को भी दंडनीय बना देते हैं तो मैं समझता हूँ—यह शब्द जरा कहा मालूम होता है लेकिन कहना पड़ता है—यह कुछ अमानुषिक मालूम होता है, और अनैतिक मालूम होता है, क्योंकि परिस्थितियों से मजबूर ही कर वह यह जुर्म करने जा रहा है। इस दृष्टिकोण से अगर हमने इस बात को रखा और इसके अन्दर संक्षेपन नहीं किया तो मुझे तो यह भावना है कि कहीं जो बुराई आज हम जुले रूप में समाज में देख रहे हैं वह औरकाजारी के रूप में न दिखने लगे। इसलिये इस कानून के अन्दर जो व्यवस्था इस सम्बन्ध में है

उसको शाप किर से अध्ययन कर सकते हैं और संक्षेपन कर सकते हैं।

दूसरी बात जो पटेल साहब ने कही, मैं उसका भी समर्थन करना चाहता हूँ कि कहीं हम इस कानून के अन्तर्गत इतने महंगार देह की व्यवस्था न कर दें कि कोई शिकायत करने वाला ही न हो। यहाँ पर ऐसे संक्षेपन रखें गये हैं जिनमें अनुरोध किया जा रहा है विधि मंत्री महोदय से कि अगर किसी संस्था की ओर से किसी जिम्मेदार व्यक्ति जौ भी से मैजिस्ट्रेट को सूचना मिल जाय तो भी वे अपनी तरफ से पुस्तिलाला एवं कार्यालयी करायें और मुकेदमा चलायें। शायद वे इसे मानने के लिये तैयार नहीं हैं, जैसा कि उन्होंने अपने भावन में कहा, लेकिन मैं समझता हूँ कि अगर हम इस कानून को कुछ व्यावहारिकता का आमा देना चाहते हैं और अपने समाज की लाभ पहुँचाना चाहते हैं तो हमें इस बात पर गम्भीरता से विचार करना होगा कि हम किस प्रकार से इसे अमल में लायेंगे। और इसलिये मैं समझता हूँ कि जो संशोधन रखता जा रहा है उस पर ठीक से ध्यान दिया जाय। इस प्रथा के बारे में, इस कुरोति के बारे में दो सम्मतियां हो ही नहीं सकतीं कि इस देश के अन्दर इसे जल्दी से जल्दी समाप्त होना चाहिये। लेकिन हम किस प्रकार से अपने इस अक्षय की प्राति कर सकते हैं, किस प्रकार से हम कम से कम समय में और स्थायी रूप से इस कुरोति को दूर कर सकते हैं, इसकी व्यवहारिकता के बारे में कुछ मतभेद है। मैं समझता हूँ कि मैं ने जो संशोधन रखते हैं वे इस भावना से रखते गये हैं ताकि विधि मंत्री महोदय, जो इस सदन की भावना का आवार करते हैं, उन को स्वीकार कर सकें। वे इस बात को स्वीकार करें कि अगर हमें कानून के द्वारा इन कमियों को हटाना है तो उसे इसमा अन्य और व्यावहारिक बनाना चाहिये ताकि हमारा अन्तिम लक्ष्य पूरा हो सके।

[अधी महत्व पूर्ण]

इन घटावों के साथ मे अपने संशोधनों
को प्रस्तुत करता हूँ।

Shri D. C. Sharma: Mr. Deputy-Speaker, Sir, the Bill as it stands is, to put it very gently, lame and some of the amendments which have been proposed seek to make it more ineffective than it should be. I believe clause 3 should stand as it is, and there should be no amendment to it.

In the first place, it is very difficult to distinguish between a social crime and any other kind of crime. I think a new category of crimes is being introduced today. In the category of crimes social crime is the highest kind of crime. You should not have one kind of punishment for social crimes and another for other crimes. That argument is not very good and does not deserve consideration.

Some persons have taken up their stand on the law of evidence. The law of evidence as it is will apply to all kinds of crimes, to all kinds of deviations from the law of this country. You cannot have one law of evidence for this and another for others. The law must take its own course. If you think the law of evidence will not do much good here you must change the law of evidence. It is not wise trying to minimise the effect of the laws taking shelter behind the law of evidence. Therefore, I say this clause should stand as it is.

Three kinds of offenders have been described in this clause and all these kinds of persons deserve punishment, no lenient or gentlemanly kind of punishment as has been tried to be put forward by some of my hon. friends, a punishment in keeping with their social status and other kinds of things. All these are wide off the mark. I would say the giver of the dowry, the person who takes the

dowry and the person who abets the giving or taking of the dowry, all these three types of persons should be looked down upon as social miscreants. They should be punished as severely as possible.

There are some persons who think that whatever they say is gospel truth and whatever others say is not proper and right. They may have that kind of egotistical opinion about themselves; and I have no grouse against them. But I should think this punishment of 6 months and also fine should be kept as it is.

Sometimes public opinion dictates to us what kind of legislation we should adopt. Sometimes our legislation has got to be in advance of public opinion; and sometimes our legislation has to give direction to public opinion. I think this legislation is fulfilling all the 3 purposes of social legislation. It is giving the right kind of direction to public opinion. It is also honouring public opinion. It is also trying to do something which is in the light of public opinion which prevails. Therefore, it should stand as it is. If we try to take away anything from the scope of the punishment in terms of imprisonment or fine, I think, we will be making this Bill a toothless Bill and it will not be able to do anything.

It would be like passing a resolution at a public meeting. Some persons have spoken as if we were passing a resolution at a public meeting. There should be some difference between the passing of a resolution at a public gathering and the passing of a law on the floor of this House. I believe we legislators should do something to put an end to this evil. I think our support of this Bill should be whole-hearted and unambiguous. Unless it is so, this Bill will lose all its effectiveness. I would request my hon. friends who have moved these amendments to withdraw them in the light of public opinion which they know—and I also know—and let this clause stand as it is.

मी बाल्मीकी : उपाध्यक्ष महोदय, इस विल की बारा ३ पर भैने दो अमेंडमेंट्स संख्या ६४ और ६५ दिये हैं। संशोधन नं० ६४ इस प्रकार है :

Page 2.—

(i) line 3, for "six months" substitute "three months"; and

(ii) line 4, for "five thousand rupees" substitute "two thousand rupees".

Page 2.—

after line 4, add—

"(2) If any person is guilty of 'Bakher' of 'Aag Dhunvan' he shall be punishable with imprisonment which may extend to two months and also with fine which may extend to one thousand rupees."

सभाग और धूधा के बारे में और बखर के बारे में डेफिनिशन में संशोधन दिया गया है। वह बाद में आयेगा।

एक भाल्मीय सदस्य : यह आता और धूधा क्या होता है?

ओ बाल्मीकी : कायर बकंस।

और (३) इस प्रकार है :

"(3) If any person takes or abets the taking of bride-price, he shall be punishable with imprisonment which may extend to three months and also with fine which may extend to two thousand rupees."

यह विल जो दहेज प्रथा को समाप्त करने के हेतु इस बक्त मदन में लाया गया है उसका स्वागत तो करना ही होगा। देश के अन्दर दहेज की प्रथा एक बहुत ही भयंकर प्रथा है जिसके परिणाम ऐसे हैं कि हृत्यायें तक हो गई हैं, और यदि देश जाय तो सारे देश के लोग इसके विरुद्ध हैं। जब दहेज के प्रश्न को डाला

जाता है तो यह कठावन सामने आती है :

जब देनी पड़ी बुनाई तो बटा बताया सुरू।

बार बार जब इस विल को टालने की कोशिश करते हैं तो इस प्रकार का एक दोष आता है। लेकिन समाज के अन्दर की इस अवादी को हम कानून के द्वारा समात कर सकें, केवल यहाँ बैठ कर, तो वह कानून भले ही कितना कड़ा भी न हो, ऐसा नहीं हो सकता। जब तक आप जनता के अन्दर और बाहर इस प्रकार का प्रचार न हो, एक प्रकार की पब्लिक ओपीनियन किएट न हो, उसमें स्वयम् कुरीतियाँ को द्वारा करने की भावना पैदा न हो, तब तक आप कितने ही विल पास कर लें, कितनी कड़ी सजायें रख दें, उमसे कुछ नहीं हो सकता।

ज्यायेट कमेटी ने इस विल को यहाँ पर भेजा है। मैं सोचता था कि ज्यायेट कमेटी में जाने से इस विल में कुछ सुधार होगा, लेकिन जो परिष्कृत रूप हमारे सामने आया है उस का मैं हल्के हल्के विरोध इस लिये करता हूँ कि मैं समाज के अन्दर सुधार आहता हूँ, लेकिन समाज के अन्दर वह सुधार और के साथ नहीं, बल्कि भावना के साथ सद प्रचार के साथ, आये।

जहाँ तक इस प्रथा का ताल्लुक है, यह एक ऐसी कुरीति है जिसे देश से जाना चाहिए और यही नहीं, हमारे देश के अन्दर नारियों का सम्मान होना चाहिये। अप्रेजी में यह आत भले ही कही गई हो कि "फैलटी बाई नेम है औ मन" (हंसी) यह हँसने की बात नहीं है। अप्रेजी राज्य के साथ वह फैलटी भले ही रही हो लेकिन जहाँ तक मेरा संबंध है, मैं नारियों में फैलटी को नहीं मानता हूँ। मैं तो यह जानता हूँ कि देश की अस्पृश्यता को आवात पहुँचाना और नारियों का उत्थान दोनों ही साथ साथ चलें। अस्पृश्यता के ऊपर तो अब योड़ा बहुत ध्यान दिया जा रहा है लेकिन नारियों के उत्थान का कार्य भी उतना हैजी से नहीं चल पाया है। यही नहीं मैं जहाँ पर

[भी बास्तीकी]

उनका उन्नत जीवन चाहता हूँ वहां यह भी चाहता हूँ कि हमारे देश में नारियों का राज्य कायम हो और इस अवस्था को हम सुदूर न दूरमें बल्कि नारियां स्वयं इस प्रकार की कुरीतियों को बदलें। इस देश के अन्दर यह कहा गया है :

“इच्छयेण कल्या युवान् विन्दते पतिम्”
(अथर्व वेद)

जब कल्या विद्याध्ययन के पश्चात् भरपूर उम्र की हो जाय, शादी के काविल, तो उसे पति कृनना चाहिये। आज वह प्रथा भले ही न हो, आज भले ही उसमें इतनी ताकत न हो, लेकिन हमारे समाज में यह आवश्यक है कि हमारी नारियों के अन्दर जीवन और जीवन का उठाव ऐसा आये कि वे किसीभी तरह से कष्टज्वर न कहना सकें। हमारे देश में प्राचीन काल में, वेदों के अन्दर नारियों का जो स्थान रहा है वह इस मन्त्र में कहा गया है :

“सम्मानी स्वपुरे भव सम्मानी इच्छावां भव ।
मनान्वरि सम्मानी भव सम्मानी अधिवेष्यु ॥”
(अथर्व)

14 hrs.

तू इच्छावर पर राज्य करने वाली हो, तू साम पर राज्य करने वाली हो, नन्द पर राज्य करने वाली हो, तू देवर पर राज्य करने वाली हो। नारी राज्य करने वाली उस जमाने में भले ही रही हो, किन्तु आज इस तरह का भाव उस रूप में हो, यह मैं नहीं कहना चाहता, लेकिन मैं कहना चाहता हूँ, जैसा कि यहां अभी कहा गया था, कि नारियों के काम में तेजी आ रही है। ठीक है, उनके हर काम में तेजी आये लेकिन उस तेजी के साथ देश के अन्दर नारियों का सम्मान विशेष तौर से पैदा हो। कहा जाता है कि पुरुष लोक सोच रहे हैं कि जो नारियां आज वरों में दैठी हुई हैं वह इस कुप्रथा के विसाफ यादोलन न कर-

पायें, कोई प्रसार न उठा पाव, इस तथ्ये इस कानून को बना दो। लेकिन मैं कहना चाहता हूँ कि आदमी किसी ऐसे काम में बहुत पीछे नहीं रहते, यह ठीक है कि हम को इसके लिये कदम उठाना है। लेकिन नारियों को पहले इसके लिये कदम उठाना है, उनकी संस्कारों को कदम उठाना है। यहां भी कानून बदले हैं, उनकी संस्कारों में सी प्रस्ताव पास होते हैं, पर मैं समझता हूँ कि जब दहेज का सबाल आता है तो लेने देने का जिक्र औरतों में ज्यादा होता है बनिस्वत प्रावधियों के।

उम्र दिशा में नारी संस्कारों के काम करने की ज़रूरत है। मैं तो चाहता हूँ कि देश के अन्दर, हमारे नवजानों के अन्दर और हमारे दूर बेटियों के अन्दर इस तरह के ऊंचे भाव आये ताकि वह इस से परहेज करे और दिल से परहेज करें और कोई भी इस तरह का बन न दे लेकिन जब तक कि उनके अन्दर इस तरह को शक्ति पैदा नहीं होती और जब तक हमारे देश के नवयुवक और नवयुवतियों में इस तरह का बल और माहस पैदा नहीं होता कि वह इस कुरीति का ढूँढ़ा के साथ विरोध कर सकें तब तक मैं समझता हूँ कि कोई कार्य नहीं चल सकता है और इस बुराई का सदा सदा के लिये उन्मूलन नहीं हो सकता है। इसके बारे में पूज्य बापू जो के जो विचार हैं वह मैं आपके मामने पढ़ देना चाहता हूँ :—

“Strong public opinion should be created in condemnation of the degrading practice of dowry, and young men who soil their fingers with such ill-gotten gold should be ex-communicated from society. Parents of girls should cease to be dazzled by English degrees and should not hesitate to touch outside their little castes and provinces to secure true, gallant young-men for their daughters.”

आज आवश्यकता इस बात को है कि हम इस कुरीति के विरुद्ध जनसत जाप्रत करें, इसके

विह द पब्लिक धोपीनियन पेदा करने की जरूरत है और तभी उसका कोई कल लिकल लेकर है । ऐसे इसके लिये सेविलेशन का भी अवश्यकता है इनका नहीं करता और ऐसे अपने संशोधन द्वारा यह चाहा है कि ब्राईड प्राइवेट भी डाउरी की परिभाषा में शामिल कर ली जाय और ऐसे अपने संशोधन नम्बर ६३ के Explanation II (iii) में यह दिया दृष्टा है :—

“(iii) Bride-price i.e. payment of money to the father or guardian of the bride for giving her in marriage.”

इस देश के अन्दर बहुत से पिता अपनो पुत्रियों पर एक प्रकार का पन लेते हैं तब कहीं वह विवाह आगे चलता है और यह सब लेना केना चुपके चुपके होता है और मैं जानता हूँ कि इस तरह से पुत्रों पर जो एक डस प्रकार का धन लिया जाता है वह भी उतना ही बुरा है जितना कि डाउरों बुरां है । और मैं उसका भी सँझे होकर इसलिये विरोध करना चाहता हूँ ताकि आप समझ लें कि प्राचीन काल में भी हमारे बन्धों के अन्दर इस तरीके से उसका विरोध किया गया है । जब अर्जुन सुभद्रा को लेकर चला गया तो खुद कृष्ण महाराज ने लास तौर से यह कहा था कि मैं इस तरह की शादी को पसन्द नहीं करता । मैं ऐसी शादियां जिनमें कि ब्राईड प्राइस ली जाती है, उनका मैं किरोष करने वाला हूँ । मैं समझता हूँ और मुझे आशा है कि मंत्री महोदय जो योहो बहुत हिम्मी समझते हैं वह मेरे भावों को और विशेष करके यह ब्राईड प्राइस संबंधी मेरी मांग को समझते हुये और उचित समझते हुये इस बिल में जहां डाउरी की परिभाषा दी गयी है वहा ब्राईड प्राइस का भी उसमें समावेश करने की कृपा करें । मैं चाहता हूँ कि यह भी डाउरी की परिभाषा में आजाय । हमारे शास्त्र में यह कहा गया है :—

“क्रीता दृव्येण या नारी सा न पत्नी विश्वीयते ।
भा न देखेन सा विश्वे दासी ता कवयो विदः ॥

शुल्केन ये प्रदद्वन्द्वित स्व सुतां वेष्म मर्मेष्विता ॥
पतन्ति नरके धोरे इन्ति चासप्तम् त्कुलम् ॥

जो पिता पुत्रों पर धन लेता है वह पुत्री विविक्त विवाहित नहीं है बल्कि वह विद्वानों की राय में दासी है । जो लंभ मौहित पिता वह के नालच में पुत्रों को देवते हैं वे कृतज्ञ पिता कुल सहित नरक में गिरते हैं ।

उपाध्यक्ष महोदय : आप उसके लिये इबल परिशंखमेंट क्यों प्रयोग कर रहे हैं ?

मैं ब्राह्म शीकी : डाउरी की बतामान परिभाषा के अनुसार यह ब्राईड प्राइस तो उसमें आती है नहीं हालांकि यह ब्राईड प्राइस पहाड़ों में और मंदानों में भी मिहिल क्लास से नीचे के जो इलास हैं उसमें यह चलती है और इसी कारण से मैंने इसको भी डाउरी की परिभाषा में शामिल कराने के लिये अपना परिशंखमेंट दिया है । मैं चाहता हूँ कि मंत्री महोदय मेरे लंशोधनों को स्वीकार कर लें लेकिन जैसे कि मैंने पहले भी कहा लंशोधन के अतिरिक्त देख और समाज में उसके लिये एक प्रबल जनमत पेदा करने की जरूरत है । जो सामाजिक मस्तायें देख के अन्दर कार्य कर रही हैं यह बात तो उनको अपने हाथ में लेनी चाहिये जो कानून आप बना रहे हैं वह यहां तो ड्राइस्टिक विकासी देता है लेकिन मुझे ऐसा विकासी देता है कि बाहर तो उससे ज्यदा काम चलने वाला नहीं है यहांकि यह बेलने की बात है कि इस कानून के मुताबिक लोग शिकायत करने के लिये आये आयेंगे नहीं । इसलिये इसको जब तक कागजिजेबिल न बनाया जाये तब तक कोई लाभ नहीं होगा । मैं चाहता हूँ कि इसको कागजिजेबिल आकेस बनाया जाये । जहां एक तरफ पब्लिक धोपीनियन बने, वहां यह भी जरूरी है कि आप ऐसे कदम उठायें कि इसका लाभ हो सके । मैं आशा करता हूँ कि जो अवैद-मेंट मैंने दिया है उसको मंत्री जी मंजूर करेंगे ।

जहां तक सजा का सबाल है मैंने द महीने से तीन महीने की सजा करने के लिये

[भी बाल्यीकी]

और ५ हजार से दो हजार तक जुरमाना करने के लिये संशोधन दिया है। यह ठीक है कि यह एक सामाजिक पाप है, लेकिन इसके उससे को समझना चाहिये। मैं समझता हूँ कि सामाजिक दोष के लिये इतनी लम्बी सजा देने की जरूरत नहीं है। इसलिये जो अद्येतदेट मैंने पेश किया है उस पर मंथी जी ध्यान दें।

Shri Achar: Mr. Deputy-Speaker, Sir, I do not think it would be just or equitable to make the giver a criminal. Under the present social conditions I feel it to be unjust to punish a person who gives dowry just to see that a daughter or any other ward whom he loves is married. Of course, appeals were made that our social conscience must be improved and this evil—no doubt, everybody concedes it is an evil—should be eradicated; but let us for a minute remember our present social conditions, let us sympathise with the position of a loving father who is anxious to see that his daughter is well settled.

I am not for a moment approving the attitude taken up especially by our educated young men. Our first duty is to see that their attitude changes. Unfortunately, more than the so-called uneducated people, the villagers, it is our well educated persons who take medical degrees, engineering degrees—law graduates are not very much wanted now—who demand the highest prize.

It is but quite natural that a good father wants to see that his daughter is well settled. He has got his worries, he has got his problems. It is so difficult to find a suitable husband. Should we add one more worry of this punishment? I find not only fine but imprisonment also. My hon. friend, Shri Patel, appealed, at least make it only fine. I would go a step further and say, let us not add to the worries of loving fathers in the matter of settling their daughters.

I have my own great fear whether this Act, even if passed, would be a dead-letter—that is a different aspect of the question—but it would be a step in the right move. Even if it becomes a dead-letter, it would be at least helpful to have public opinion created against this evil; that much good this Act may do. But let us not do any harm and let us sympathise with these parents who want to settle their children by getting good husbands.

Let us first try to eradicate that evil, that mental attitude of our young persons. Then it would be proper to punish the father or the relation of the girl who wants to settle his ward or daughter. I am afraid, Sir, this step to make this a crime is not proper under the present social conditions. So I support the amendment brought by my hon. friend, Shri Bhakt Darshan and others who say that the giver should not be punished.

Pandit Thakur Das Bhargava: Sir, I do not want to say anything more so far as my amendment relating to the giver of the dowry is concerned; my hon. friends Shri Patel and Shri Achar have given very good reasons and I support those reasons. But I am clear about one thing in my mind, that so far as clause 3 is concerned at least the bride and the bridegroom will be sent to jail if not in each and every case at least in 75 per cent of the cases. After all, money is to be given either to the bride or the bridegroom or to some other person on their behalf. According to the definition the money must be given to the bride or the bridegroom—these are the parties to the marriage—or to some other person either on behalf of the bride or the bridegroom.

Shri Nathwani: If it is given directly to the father of the bride or bridegroom, then what will happen?

Pandit Thakur Das Bhargava: I am coming to that. Suppose it is given

directly to the father, even then if he is the father of a graduate or an educated person the law must assume that the bridegroom or the bride knew about it. He might have vetted it or abetted it. It was for his benefit. What did he do? Did he say: "I disown my father"? Therefore, in every case it must be a presumption that if the young man or the young woman says that he or she is not going to take the dowry or give the dowry the parents will think a hundred times before giving or taking it. In the other case, if it is received by some other person on behalf of the bride or bridegroom, the other person is only an agent. In such a case will the agent only be guilty and not the principal who knows it? In many cases it will be taken that they are also abettors and, therefore, both will be sent to jail.

My hon. friend was asking as to what will happen if it is by the father or mother of the girl or the father or mother of the bridegroom, whether they will not be sent to jail. If all the four are sent to jail it will be still more tragic. So far as the giver is concerned I have always rebelled against a law in which there is a dacoity committed at a house and you go and punish the owner of the house on whom the dacoity has been committed in the first instance and then go to find out the dacoits. So far as the giver is concerned, he is the person on whom the extortion has been made. He is also being sent to jail. So far as the taker is concerned, he demands it, he initiates it, he needs it. Therefore, he certainly does extort and to that extent he is guilty. The bridegroom is a party. The bridegroom knows that the money is being received for his being sent to England—young graduates want to go to England at the cost of the father of the bride. If that is so, if both are sent to jail there is some sense in it.

I am sure bride would not like it, the father of the bride would not like it. In hundreds of cases it will happen that when the father of the

bride gives evidence he will say that he has never given any dowry. Unless there is, therefore, documentary proof it will be difficult to prove that the money was given. When the giver says that he has not given and the taker says that he has not taken, in my humble opinion, as a matter of fact, in the very nature of this sort of crimes, it will be very difficult to detect such crimes and very difficult to bring the guilt home to the person charged with the offence. In the case of marital laws, because the husband and wife are there, I have not seen a single case having gone to the court so far.

Mr. Deputy-Speaker: If the jail manual is revised and a provision is made that such offenders should be kept together, would he have any objection?

Pandit Thakur Das Bhargava: It will be, I think, more just, more considerate, more humane. Anyhow, now to say that in this case they must be sent to jail and no other punishment is enough is also, as a matter of fact, not to consider the human aspect of the whole thing. I have no sympathy with the person who gives dowry or who takes dowry; it is a wrong against society. But, at the same time, I do not want that in every case the persons concerned should be sent to jail.

The next question is, what should be the punishment? I have given an amendment to the effect that five times the amount of dowry should be the amount of fine against the taker of the dowry. I also want that in proper cases when the case is very grave, even the court should be empowered to sentence the taker to some imprisonment, a month or so.

I have put in one more amendment based on the principle of section 545 of the Criminal Procedure Code. Under that section, the court is given the power to give some sort of relief to the person injured. Again, the court is given the power to reward

[Pandit Thakur Das Bhargava]

the person who brings a case, in certain respects, by giving him cost of prosecution, etc. Here, the great difficulty will be, who is to be prosecuted. I want to make certain points clear. So far as Government servants are concerned, the Government should see that, as in the case of bigamy, all Government servants are informed by an order that any person against whom it is proved that dowry was taken or given, that person will be penalised by the Government of India so that all the public servants will be saved from this evil. Secondly, all graduates when taking degrees should be enjoined not to take or give dowry. Thirdly, the Congress and other political parties are there, and in their oath, or when they sign the pledge, something to the effect that dowries should not be given or taken should be mentioned. These are the ways in which we can bring this evil to an end. Otherwise, nothing will be done. Also, it will be very difficult to bring the offending people to court. In fact, I have put in an amendment that social organisations recognised by the Government should be given the authorities to bring such cases to court. Their expenses may be paid. If fines are realised those organisations may be given something out of them by way of expenses. These are the ways in which we may be able to do something in this direction. The social organisations will not be activated by malicious motives. They will act in public interest, and they will come forward in the matter of prosecuting the offending people. If there is any success, they will take credit, and their expenses in this regard can be paid out of fine. These are the ways in which we can do something to check this evil. Otherwise, my own fear is that whatever Bills we may pass, it will be most difficult to implement them.

With your permission, I shall make one point before I sit down. The giving or taking of dowry between the husband and wife—even between

them—is prohibited, in the sense that even presents are not allowed. That means, we are coming to a state of things which is unthought of and which can never be imagined. If that is done, then it means that under clause 6, if the wife gives something to the husband, again it should come back to the wife. If the dowry is given to any person other than wife, it will remain where it is, if it is given to the wife by the husband, it will remain with the wife; but, if the wife gives something to her husband, it will come back to her! What is the meaning? Further, why should the bridegroom be sent to jail? My submission is, either we make these provisions properly, or, at least we should not send the bridegroom to jail, specially when even under clause 6 the dowry will come back to the wife.

अंग्रेजी लक्ष्मी बाई : (विज्ञानवाद) :
उपाध्यक्ष महोदय, हम समझते थे कि डावरी बिल से औरतों को कुछ कायदा होगा, लेकिन जो बातें मैं इस बदल में मुन रही हूँ और इस बिल को देखती हूँ, उसमें मुझे मालूम होता है कि इस में औरतों को कायदे के बजाय नुकसान ही होगा। मैं यह निवेदन करना चाहती हूँ कि हिन्दुस्तान में एक ही तरीके से डावरी नहीं दी जाती है। हर प्रदेश में अलग अलग तरीके से डावरी दी और नी जाती है। गांवों में अलग तरीके से डावरी दी जाती है। अक्सर हमारे प्राप्ति में बड़े बड़े लोग डावरी देते हैं। गरीब लोग भी लड़की की शादी के मध्य उसको जेवर और कपड़े बगीर बहुत सी चीज़ दे कर उसको कायदा पहुँचाते हैं। उसको स्त्रीधन बोलते हैं। जो कुछ यहाँ किया जा रहा है, उस से मुझे एक बात याद आती है। एक जोड़ा खराब था। वह बहुत भागता था। उसकी तेजी को कम करने के लिये किसी के पास ले गये और उसको कहा कि उस को ठीक बनाओ, उसमें उस घोड़े को ठीक बनाने के

बजाये उसको गधा बना दिया। हम समझते थे कि डावरी देने के कारण लड़की के भाता पिता को जो तकलीफ होती है, इस बिल से उनको कुछ फ़ायदा होगा। यद्यपि मैं कायदे-कानून के द्वारा इस प्रकार की कुरीतियों को समाप्त करने के बारे में ज्यादा उम्मीद नहीं रखती। कायदे-कानूनों से बहुत ऐच्छिकियां पैदा हो जाती हैं। इस प्रकार की कुरीतियों को खत्म करने के लिये समाज में सुधार किया जाना चाहिये। अच्छे रिवाज बनाए जाने चाहिए अगर लड़कों को न उसके भाता पिता कुछ देंगे और न लड़के वाले कुछ देंगे, उनकी तो भौत हो गई। श्रीविन में उसके लिये कुछ भी नहीं रहेगा और समुराल के लोग जो उसको कैश देते हैं, मोना और कपड़े बगैरह देते हैं, वह भी उसको नहीं भिलेगा। दोनों को कुछ देने से गना कर दिया गया है। लेकिन वह तो बन्द नहीं हो सकता है। हां, बकीलों के लिये और फ़ायदा हो गया। बकील लोग इसमें और पेचीदियां पैदा करेंगे। इसका परिणाम यह होग कि जब कि पहले तो खुले तीर पर शादी होती थी, अब इस बिल के कारण छिप छिप कर, डर डर कर शादी करनी पड़ेगी। मैं मिनिस्टर महिब से पूछता हूँ कि क्या वह अपनी लड़की की शादी अपनी बिरादरी में बगैर कुछ दिये करेंगे। क्या सब एम० एल० ए० और एम० पी० बादा करेंगे कि वे भी शादी के समय कुछ लेंगे या देंगे नहीं? यदि नहीं, तो हम समझते हैं कि यह बिल बिल्कुल ढकोसन्ना है और यह बिल अमल में नहीं लाया जायेगा। सब लोग समझ लेंगे कि हम बच जायेंगे। इस कानून पर यहां बहस हो रही है, लेकिन अमल में इसका कुछ फ़ायदा नहीं है। मैं अक्सर देखती हूँ कि शादी से पहले लड़कियों के पास कुछ नहीं रहता है और शादी के बाद उनके पास जेवर, कपड़े बगैरह हो जाते हैं, लेकिन अगर उसको मां-बाप भी नहीं देंगे और समुराल वाले भी नहीं देंगे, तो उनकी क्या अवस्था होगी?

हमारी बहन श्रीमती रेणु चक्रवर्ती इस बिल को लड़कियों के लिये बहुत सामृद्धायक समझती हैं। भगर मैं तो इसको बिल्कुल हानिकर समझती हूँ। आनंद प्रदेश में इस बरे में एक बना, लेकिन मिनिस्टर्ज एचास, साठ, ससर हजार लेकर शादी कर रहे हैं और कोई उनको नहीं पकड़ता है। बुल्लम-बुल्ला शादी होती है। सबको मालूम होता है। गांवों में लोग कहते हैं कि जब एम० एल० एज० और मिनिस्टर्ज ऐसा करते हैं, तो हम क्यों न करें। कोई पकड़ने वाला नहीं है। मैं तो यह कहना चाहती हूँ कि इस प्रकार की शादियों में जो लोग शामिल होते हैं, जो बिट्टेस करते हैं, उनको भी सजा होनी चाहिये, उनको भी पनिशमेंट दी जानी चाहिये। तब यह सब ठीक हो जायेगा। इस साल कितनी ही शादियां होंगी, कितने ही एम० पीज० के यहां शादियां होंगी। हम देखेंगे कि कौन इस पर अमल करता है।

हम तो समझते थे कि इस बिल में कुछ दम रहेगा, लेकिन हम देखते हैं कि इसमें दम नहीं है, यह मुर्दा बन कर रह गया है। पहले तो इसमें दम था, लेकिन कहा गया कि इसको ठीक करो और परिणाम यह दृश्य है कि दम चला गया है और अब यह हमुर्दा रह गया है। इससे लड़कियों को कोई फ़ायदा नहीं रहेगा। मैं समझती हूँ कि इस बिल से बकील लोगों को फ़ायदा होगा। वे अपनी बिरादरी के लिये काम बढ़ाने के लिये इसका समर्थन कर रहे हैं। सब बड़े बड़े बकील यहां पर चर्चा करते हैं। मैं समझती हूँ कि वे जूनियर बकीलों के लिये काम पैदा करना चाहते हैं।

मैं इस बिल को सपोर्ट नहीं करती हूँ।

Shri Manabendra Shah: I would first like to deal in clause 3 regarding the persons who are to be penalised.

[Shri Manabendra Shah]

In the clause, punishment is to be awarded to the giver also. I am afraid that the House has not really appreciated the word 'giver', because, as far as I know, from what I have heard from the various hon. Members' speeches, they were primarily emphasising the bride's side but not the boy's side. In our hilly areas, it is not the bride's side which gives the money but it is the boy's side that gives the money. Therefore, just to safeguard the interests of the bride would be wrong. In clause 6, the bride has been safeguarded. Therefore, if the boy's side is to be penalised, you are penalising him twice or doubly. He is penalised first by giving the money, and then after getting the bride into the family, you are again sending him to prison. Therefore, I am afraid that the word 'giver' has really not been appreciated, and that is probably because the facts of the situation all over India were not available to the Joint Committee. By clause 6, it is more or less conceded that the girl is something other than the family member of the family to which she has gone, because when you give a thing to a girl, you have created a stridhan. According to the law, he has given the money to a third person; and you give it to a person who again is declared as a third person. So, you have created a war in the family itself and strengthened the division between the bride and the rest of the House by penalising them in the manner prescribed in clause 6.

This is a social law and not a criminal law. So, I cannot understand how a person should be definitely put to prison and may be fined. It should be the other way round. You fine him, but do not put him into prison just because he has given money. So, I personally think that the word "gives" should be removed from this clause and the penal portion of the clause should also be amended, so that fine is more important than imprisonment. That is what I have endeavoured to do in my amendment.

Shri C. D. Pande (Naini Tal): I would like to ask your indulgence if I go beyond the scope of this particular clause, because I was not here and I wanted to oppose the whole Bill. Of course, I am opposed to dowry being extorted by people in consideration of the marriage of their sons. But if we go in for a legislation of this type, we shall be making an inroad into the very sanctity of marriage institutions and cause annoyance to the people. After all, the people who talk with great flamboyancy, about the "progress" they want to make do not know the people's mind. I am constrained to say that this is not the right approach for this type of legislation.

I am afraid this Parliament will be making itself a laughing-stock before the country, because either you are keen to observe the provisions of this legislation or you want to ignore them. Except for the fact that there is the phrase "in consideration of marriage", dowry may mean even the presentation of a fountain pen, a wrist watch, a few *saris*, etc., and a man who has got malicious motives against the parents will certainly go and report about it. Even social organisations will be dominated by such persons who have spoken here this afternoon. They think whatever has been the Hindu custom, anything that has been done in the past, is bad. Therefore, I do not entrust such things in the hands of any social organisations. It will be a sort of blackmail instrument in the hands of the people who are opposed to the parents, not on account of dowry, but on any other account. When this type of Bill was introduced long ago by private Members, we thought it would never come. But really I am surprised that the House has succumbed to the propaganda of the so-called progressive element in the country. The country, we thought it would never come, as there have been many social legislations, this also will be a **dead letter** . . .

Shrimati Renu Chakravarty: On which clause is the hon. Member speaking?

Shri C. D. Pande: I have asked the indulgence of the Chair if I go beyond the scope of this House. I oppose the whole Bill and this clause also.

Shrimati Parvathi Krishnan: Then he can speak in the third reading and not take our precious time now.

Shri C. D. Pande: A lady Member said, people spend so much. Are you against dowry being given or are you against dowry being extorted? There is a great sentiment in the country that people who are extortionists, who want that their son should be purchased by the bride's father, should be brought to book. There should be a machinery for that. But can anybody give me a machinery by which the real culprit can be brought to book? In most cases, the real culprit is the bridegroom's father or his brother or he himself. I think no other party is the culprit. It will be a crime to prosecute the bride's mother or father, because they are weak, dependent party. In fact, they are the party who are anxious to get their daughters married and as such the victims of extortion. In this country, girls want to get married. Even a lady Member of this House was saying the other day that she could not get married, because she was darker in colour. So, every girl wants to get married and parents are worried for their marriage.

Shrimati Renu Chakravarty: Let them get married, but why should there be dowry?

Shri C. D. Pande: Does a present amount to dowry?

Mr. Deputy-Speaker: The hon. Member shall address the Chair.

Shri C. D. Pande: If there is any machinery to make a distinction between a gift given in consideration and a gift given as a gift, then it is all right. Otherwise, you may pass this legislation, but the country will not observe it. It will be a sort of

social harassment to the people and it will not add to the healthy practice in the society. Society realises that everybody has got a daughter and everybody has got a son. On the whole it adjusts. I have a daughter to get married. In my part of the country, there is no dowry, but we do spend money. We give presents, ornaments, utensils, etc. Any of my opponents can say, "You have given Rs. 3,000 in your daughter's marriage", harass me and create unpleasantness.

Shri D. C. Sharma: We will protect you.

Shri C. D. Pande: You think you are a social legislator and it gives credit to you. But the Parliament will be failing in its duty in not giving proper consideration to their matter. The question is not what you think to be proper, but what the country thinks to be proper. Sir, this is all I have got to say.

Shri Jogendra Sen (Mandi): Sir, I have listened with rapt attention to the discussion on this very important social legislation. I had thought that this was so obvious to us all that there would not have been the difference of opinion which one has noticed from the very beginning of this discussion. I am not going, in the short time at my disposal, to contradict or support the various views expressed I am going to be very brief and I am going to support the Bill. In doing so, I am going to support my hon. friend from Tehri Garhwal in what he said about the hill people.

In most parts of the hills, it is difficult for the prospective bridegroom to find a bride and a custom prevails whereby a considerable sum of money has to be paid before he can find a bride. In some case he does personal service also. I will give the instance of a part of Himachal Pradesh—Mandi district—where this custom had persisted for many years, but later was abolished by law. But I have my doubts whether it has made that progress which we would like it to make.

[Shri Jagendra Sen]

So, the two things which are prevalent in the country are *Tiky* where the bridegroom is sold and *Barina* where the bride is sold.

I personally feel that this Bill is perhaps not as strong as it should be. There is a good ground for making the offence cognizable, because an old custom like this, I think, is not likely to be abolished with the passing of this rather mild legislation. But then, on the other hand, as we have had no legislation at all during all these centuries. We have seen that this custom or practice is a blot on our culture and civilisation. Therefore, it is better to have a legislation which has no clause to make it cognizable than nothing at all. It has its own undesirable features, as some hon. Members have pointed out. But in the legislation in force in the former Mandi State which I have just mentioned—I feel that was also the view of the people in that area—to make it cognizable was not very desirable. But unless you do so, some time or another, it will be very difficult to tackle this question.

If I might mention briefly, it has its roots in tradition, but not in the ancient tradition. It is that part of the tradition which, if we were to abolish, I do not think, we will lose anything. I am one of those who believe very strongly in tradition. I think our country has some good traditions and by forgetting them in some respects we would be losing our soul. If some undesirable traditions have grafted themselves things on our ancient culture, I think they should be discarded as soon as it can be done. But I am one of those who feel even after passing this legislation, this very good legislation, a legislation which should have come many years ago, but better late than never, it will not be so effective if our social bodies—nay why should I confine it to social Associations. I should say, each individual—each individual who has daughters to marry, who has sons to marry, does not follow the spirit of

it.' With due respect I would say that the person who has to give money for the prospective son-in-law is not so much to be pitied at. I am taking a general view. There may be some very hard cases, but the same man who had to pay money for the marriage of his daughter, when he has to marry his own son, he is not at all hesitant to take money. I think the only way this can be reformed is by those daughters, which we all have, trying to withstand the temptation, and sometimes even the harassment of not giving in to the demands of undesirable parties. Some hon. Member has mentioned that this pernicious practice amounts to trading in horses. I agree, in fact I think it is a trade in human beings. We trade in human beings. We trade in innocent girls and boys. Why should we not be frank about it? It is so, and it can be abolished, if we are firm and say: we are not going to give or take anything for our daughters or sons. Nature has given us children to rear and not to sell! It is no doubt true that sometimes it is because we want our daughters to be placed much higher in life, in much better circumstances than perhaps otherwise would be available. I can understand that, but I do not have any sympathy for it. My sympathies are with those poor people, or may be even rich people who have to pay large dowries. Rich people will have to pay a lakh; sometimes not one lakh but lakhs, whereas a poorman has to pay a few hundreds or even less. Their case is pitiable. Both of them are the victims of a pernicious custom.

Kanyadan is a sacred thing in our shastras. I am one of those who believe that matters relating to shastras should remain outside the pale of legislation. That is my personal view. But I am not a supporter of Kanyadan as described in the shastras. Kanyadan, however laudable the object might have been in the centuries gone by, but today to have pride in the knowledge that it has come from the shastras, is not a just pride.

The hon. Law Minister has stated that voluntary gifts will not be prevented by this Bill. I will be the last person to say that any gifts that we are likely to give to the children should be prevented. It is very satisfying to feel that there is no such intention in the Bill. The thing which is being prevented by the Bill is the selling of boys and girls. I am very pleased to know that Government has had the courage to come forward with this important Bill. By this step the corner-stone of the change which, I hope, will come in our country in the years to come has been laid. If we do not lay the foundations today, in spite of whatever the State and society may intend to do, I am afraid, we will not be able to make much progress.

There is no doubt that the educated people can be left to themselves. They demand or take money, because they are placed in the difficult position of giving money also. There is no doubt that it will be difficult for some time to persuade those parents who are in the habit of making money out of their daughters or sons, as the case may be, in different parts of the country, or to persuade even those who want to get a bride or bride-groom at any cost, that this is a good legislation. But there are so many modern pieces of legislation like the Hindu Code and the Sarda Act etc. which suffer from the same handicap. It is the duty of such people who believe in the reforms to try to get whatever they can through legislation. The rest will have to be done by the social reformers, in fact by each and every individual.

I would say the parents of those who have daughters should have a union which will say that it will not give dowry in any shape or form. But the difficulty of such a Union would be that while they would like to join it as parents of the daughters, many would not like to join it as parents of the sons. Therefore, unless we can withstand the tempta-

tion of taking money for our boys, or girls as the case may be, I think it is going to be a very long time before we can introduce this healthy reform.

Mr. Deputy-Speaker: The hon. Member should conclude.

Shri Jogendra Sen: I will conclude in one minute.

As regards presents, they are given all over the world. I think in every country in the world presents are given to boys and girls at their marriage. And it is not the intention of this measure to stop it. What is intended to be stopped is the bartering of children. Naturally, the custom can only go completely when, of course, our boys and girls will be able to find their own husbands and wives, and that will take a long time to come.

So, it is the duty of all the legislatures in the country to enact such measures. I would differ from my hon. friend, who just spoke, that Parliament will not be doing its duty. I would say that Parliament would be failing in its duty if it did not lay the foundation stone of this much desired reform by passing legislation, which is long overdue.

श्री श्रीनारायण दास : (दरभंगा) : उपाध्यक्ष महोदय, यद्यपि इस समय इस विधेयक के तीसरे बलाज पर बहम ही रही है, किर मी बहुत से माननीय सदस्यों ने इस धारा के मंशा के बाहर भी बातें की हैं।

उपाध्यक्ष महोदय : आप तो नहीं करेंगे ?

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श्री श्रीनारायण दास : मैं भी बहता था कि इस भारा के भाशय के सम्बन्ध में कहते हुये दूसरी बातों का भी जिक्र करूँ,

[श्री श्रीनारायण दास]

लेकिन जैसा कि आप ने कहा है, मैं उससे बचने की कोशिश करूँगा। प्रश्न यह है कि जिस कुप्रथा को दूर करने के लिये यह विधेयक इस संसद् में लाया गया है, वह कुप्रथा बहुत ही व्यापक है। इस तरह की और भी बहुत सी कुप्रथायें हैं, जिन से हम हिन्दुस्तान के रहने वाले, सोचने वाले, विचारने वाले लोग पूरी तरह अवगत हैं। हमारे देश में जातीयता के आधार पर जितने भी सामाजिक संगठन हैं, उन सब की तरफ से पचासों वर्षों से इस बात की कोशिश हो रही है कि इन कुप्रथाओं को रोका जाये। इस के अतिरिक्त व्यक्तिगत रूप से भी इस दिशा में प्रयत्न किया जा रहा है। लेकिन इन पचासों वर्षों के सामाजिक सुधार के आन्दोलन, तत्सम्बन्धी प्रस्तावों और इन सामाजिक संगठनों—ब्राह्मण सभाओं, कायस्थ सभाओं—के पदाधिकारियों को जरा देखिये। अभी भी सामाजिक सुधार का कार्य बराबर हिन्दुस्तान में चला आ आ रहा है। उनके प्रस्तावों को देखिये और उनके पदाधिकारियों को आप देखिये तो आपको पता चलेगा कि उन्होंने लम्बे लम्बे प्रस्ताव पास करने के बाद जो कि समाज सुधार सम्बन्धी प्रस्ताव थे, जब उनका व्यक्तिगत प्रश्न आया तो उनको तोड़ा, उन कुप्रथाओं से अपने को दूर नहीं रखा। कहने का तात्पर्य यह है कि उन संस्थाओं के पदाधिकारियों ने, उन संस्थाओं के सभापतियों ने, उन संस्थाओं की कार्यकारिणी के सदस्यों ने, उन प्रस्तावों के विरुद्ध काम किया जो कि उन्होंने ही पास किये थे।

जहाँ तक इस कानून का सम्बन्ध है, देखने वाली बात है कि क्या यह उस कुप्रथा को रोकने में सहायक सिद्ध होगा जो कि समाज में विद्यमान है। संविधान में यह चीज़ कनकरेट लिस्ट में आती है, विवाह सभायें तथा यह संसद् इसके बारे में कानून पास कर सकते हैं। मुझे मालूम है कि

आंध्र प्रदेश ने और बिहार राज्य ने इसके सम्बन्ध में अपने अपने कानून बना रखे हैं। अब अगर यह कानून पास हो जायेगा तो वे दोनों कानून रह समझे जायेंगे। हम देखते हैं कि इस कुप्रथा के रहते हुए भी तथा स्वतन्त्रता प्राप्ति के बाहर वर्ष बीत जाने के बावजूद भी, दो ही प्रदेशों ने इस विषय में कानून बनाये हैं और इस ओर अपना ध्यान दिया है

श्री च० द० पांडे : यह चीज़ वहाँ बन्द हो गई है क्या ?

श्री श्रीनारायण दास : आप मेरी बात को पहले सुन लौजिये। मैं यह कहने जा रहा हूँ कि संसद् ने इसके सम्बन्ध में अगर पहले न की होती तो अच्छा था।

यह कहा गया है कि जो चीज़ बुरी है वह सभी के लिये बुरी है, इस बास्ते ममदू को सभी प्रान्तों के लिये एक ममान कानून बनाना चाहिये। यह बात स्वागत-योग्य है। लेकिन जैसा कि कई माननीय सदस्यों ने कहा कि कानून पास करने से ही अगर इस कुप्रथा का निवारण हो जाता तब आज से दस बरस पहले ही यह काम कर दिया जाना चाहिये था लेकिन ऐसी बात नहीं है। यह समझा जाता है कि जब हम यहाँ कानून बनाने वालों की हैमियत से बैठते हैं, सोचते हैं, विचारते हैं तो यहाँ बहुत से माननीय सदस्य ऐसे होंगे कि जिन के मन में यह खलाल उठता होगा कि इस कानून के पास कर देने मात्र से ही हम इस कुप्रथा का अन्त नहीं कर सकेंगे। कुछ माननीय सदस्यों ने कहा है कि इसको कागनिजेबल बनाया जाना चाहिये। अगर उनकी इस बात को मान लिया गया तो पहले तो एक बीमारी है ही उसके बाद एक दूसरी बीमारी भी पैदा हो जायेगी। उस सूरत में यह मामला पुलिस के हस्तक्षेप योग्य हो जायेगा, उसके

अधिकार-क्षेत्र में आ जायेगा । अब हमारे देश की जैसी पुलिस है, जिस तरह से वह काम करती है, वह किसी से छिपी हुई नहीं है । इसको अगर कागनिजेबल बना दिया गया तो जो दोर्वा है, वं तो निर्दोष साबित हो जाया करेगे और जो निर्दोष है, उनको फाँसी लग जाया करेगी । इस वास्ते मैं चाहता हूँ कि अच्छा होता कि इस को प्रान्तीय सरकारों के ऊपर छोड़ दिया जाता । जहां प्रान्तीय विधान सभाओं वाले समझते हैं कि कानून की आवश्यकता है, इसको व्यावहारिक रूप दे सकते हैं, तब उन्हे कानून बनाने चाहियें थे । हम लोग जो कि यहां

Shri Jadhav: Why should there be a Penal Code?

श्री श्रीनारायण वास : पीनल कोड बनाया वह ठीक किया लेकिन जैसा मैं कह रहा था अच्छा होता कि यह चीज़ जो कि संविधान की कनकरेट लिस्ट में है, इसको विधान सभाओं के जो माननीय मदस्य है, उनके जिम्मे छोड़ दिया जाता । वे भी समाज की बुराइयों से पूरी तरह से अवगत हैं । भिन्न भिन्न प्रान्तों में जो जो अवस्था है, उसको वे लोग ज्यादा अच्छी तरह से जानते हैं । भिन्न भिन्न प्रान्तों में भिन्न भिन्न अवस्था है । हिमाचल प्रदेश के एक माननीय मदस्य ने कहा है कि उन के यहां दूसरा रिवाज है । मनाचर में दूसरी प्रकार का रिवाज है और अन्य स्थानों में तीसरी प्रकार की प्रथा है । जहां तक रीति रिवाजों का प्रश्न है भिन्न भिन्न प्रान्तों में वे भिन्न भिन्न प्रकार के हैं । इस चीज़ को देखते हुए संविधान बनाने वालों ने इस बात का ख्याल रखा कि इस तरह का कानून बनाने का अधिकार संसद को ही नहीं रहना चाहिए बल्कि विधान सभाओं को भी दिया जाना चाहिए और ऐसा करके उन्होंने ठीक ही किया है । दो प्रदेशों की विधान सभाओंने, जैसा मैंने घभी कहा है, इस बारे में कानून भी बना लिए हैं । मेरे ख्याल

से अगर दूसरे प्रदेशों की विधान सभाओं के माननीय मदस्य इस तरह कानून बनाना आवश्यक समझते तो इस तरह के कानून पास कर सकते थे । इस वास्ते मेरा कहना केवल इतना ही है कि हम यह जानते हैं कि इस प्रकार की बुराई को दूर करने के लिये, इस बीमारी को दूर करने के लिए एक कानून बना देना ही काफी नहीं होगा, इस से बीमारी दूर नहीं हो सकेगी, यह कुप्रथा मिट नहीं सकेगी । ऐसी हालत में इस प्रकार का कानून बना कर के स्टेट पर रख देने से जोकि निकम्मा साबित हो, कोई लाभ नहीं है । हमने एक शारदा कानून भी बनाया दुआ है । उसका जहां तक सम्बन्ध है वह अभी तक एक डेड लेटर ही बना दुआ है । हजारों नहीं लाखों ही उस कानून को तोड़ते हैं लेकिन उनको कोई सजा नहीं मिलती है और न जिस उद्देश्य से वह कानून बनाया गया था यानी बाल-विवाह रोकना, वह उद्देश्य भी पूरा नहीं हो सका है ।

14.53 hrs.

[**PANDIT THAKUR DAS BHARGAVA in the Chair**]

Shrimati Renu Chakravarty: It is not cognisable.

श्री श्रीनारायण वास : कागनिजेबल होने से ही कोई बुराई दूर हो जाएगी, इस में मुझे रुक है । अपराध को रोकने के लिए बनाया गया कानून कागनिजेबल कर देने से ही अपराध रुक नहीं सकता है ।

इस वास्ते मेरा विचार था कि अगर संसद इस में अपना हाथ न ढालती और देखती कि दूसरे प्रान्तों वाले क्या करते हैं, तो अच्छा होता ।

सभापति महोदय, अब मैं कलाज ३ के ऊपर आता हूँ । मुझे याद है कि कुछ विन पहले इम लोगोंने ईडियन पौनल कोड में एक नई भारत जोड़ी थी जिस के अनुसार

[क्षी श्रीनारायण दास]

धूस देना भी उसी तरह से अपराध घोषित कर दिया गया था जिस तरह से धूस लेना । यह अधारा १६१ (१) थी। अभी अभी मैं अन्तर्ने निवारित क्षेत्र में गया था और बहाने के बहाने में से मैंने इस धारा के बारे में बातचीत की थी। उन से मैंने बूढ़ा था कि इस नई धारा को जोड़ करके क्या कुछ कायदा हुआ है या न्यूनतान हुआ है। अधिकांश वकीलों ने मुझे, यही कहा कि अब तक तो धूस लेने वालों के विलाफ गवाही देने के लिए धूस देने वाले आ जाते थे लेकिन जब से आपने १६१ (ए) की नई धारा जोड़ी है जिन के प्रत्याप जो धूस ने वाला है, वह भी मुजरिम हो जाता है, वह भी तथा और भी कोई कहने के लिये बेयार नहीं होता है कि इसने धूस ली है। इस नई धारा के जोड़ देने से यह ननीजा हो रहा है कि गवाहों की कमी हो गई है धूस देने से जबर्दस्त अपराध धूस लेना है। जैसा कि कई माननीय महात्मा ने कहा हिन्दुस्तान के अन्दर जब नड़की का जन्म होता है तो लोगों को तक नीक होती है शादी करने की, दहेज देने की। हर एक लड़की वाला जानता है कि किसी उसको तकलीफ उठानी पड़ती है। लेकिन अब तो यह दूसरी नवशार उसके गले पर लटकती रहती। किसी तरह से कृप्या दे कर के भी, दहेज देकर के भी कल्पा के लिये योग्य वर अगर कोई कुँद कर शादी कर देता था अब तो वह ऐसा भी नहीं कर सकेगा। ऐसे लोगों के मन में शक होगा कि मंत्रदू ने इस के विलाफ एक कानून पास कर रखा है और अगर उन्होंने ऐसा किया तो उनको सजा हो सकती है, तो जो कांशेंशस आदमी है, वह कानून के विलाफ जा कर के ही एतो कर सकता और अगर वह ऐसा नहीं करता तो उसको बड़ी परेशानी का सामना करना पड़ेगा। इसलिए सन.पति महोदय, जैसा आपने कहा मैं समझता हूँ कि इस धारा में से "गिर्भ आर" (gives o^r) के जो शब्द हैं, इनको हटा देना चाहिए। जो सेने वाला

है वह ज्यादा मुजरिम है। जोकि अपने लड़के के विवाह के लिये धूपा लेता है, वह जबर्दस्त गुनाह करने वाला है, इस वास्ते पहले उसे सजा मिलनी चाहिये, उसके बाद जो देने वाला है, उसकी बात आवेदी। अभी तो जो लड़के वाला है, वही इसने आवेदी और बाद में दूसरा आ सकता है।

मेरा ध्यान है कि कानून पास कर देने से यह कुत्रव्य निटने वाली नहीं है, किसी तरह से कोई असर होने वाला नहीं है और जो बीमारी है, वह ऐसी ही नहीं है। अगर लोकमत नैयार करने के लिये, लोगों का ध्यान इस और खींचने के लिये इस विल की आवश्यकता अनुभव की गई है तो मैं इसका समर्थन करता हूँ। इस बुराई को अगर आप रोकना चाहते हैं तो मैं यह चाहता हूँ कि इस कानून में जो "गिर्भ आर" शब्द है, इनको आप रखेंगे तो यह कानून और भी निकम्मा साक्षित होगा और वैसी ही हालत होगी। जैसी कि १६१ (ए) को जोड़ करके हुई है। जो १६१ (ए) धारा है वह १६१ को भी दबा रही है। अगर आप इसने गिर्भ शब्द को रखेंगे तो मैं समझता हूँ जो दहेज लेने वाला है वह भी बचता चला जायेगा। हमें मिले उन लोगों को मुजरिम बनाना है जो दहेज लेने या देने के लिये किसी को उकसायें। ऐसे लोगों को सजा दी जायें। जो देने वाला है वह मजबूर होता है, तंग आ करके, परेशान हो करके वह लड़की की शादी करना चाहता है और जब उसे अपनी लड़की के लिये योग्य वर बिना रखने के या बिना दहेज के नहीं मिलता है तभी वह रुपया देता है। इस वास्ते मैं समझता हूँ कि देने वाले को मुजरिम बनाना बिल्कुल गैर मुनासिब है।

दूसरी ओर मैं सजा और जुर्मने के बारे में कहना चाहता हूँ। यहां आपने कहा है कि यदि मर्हीने की सजा हो सकती है और साथ ही साथ वह भी लिला है।

"and also with fine which may extend to five thousand rupees".

सेलेक्ट कमेटी ने न मालूम दबो सवारणतयः
में से अन्य कानूनों में होता है कि जेल की
शब्दस्था भी रहती है और जुर्माने की भी और
पह बात मैजिस्ट्रेट पर छोड़ दी जाती है कि
सिंचा वह मूलासिंच समझे उस अवस्था को
देख कर करे, इसमें दबो नहीं किया गया।
अगर जेल की सजा काफी समझता है तो जेल
की सजा दे, अगर जुर्माना काफी समझता है
तो जुर्माना कर दे और अगर दोनों ही जल्दी
समझता है, तो दोनों कर दे। लेकिन इसमें जेल
में जेना और जुर्माना दोनों साथ साथ होंगी,
दोनों ही कम्पलसरी है। जेल में जेना भी जल्दी
है और पंसा देना भी जल्दी। मैं समझता हूँ
कि इस तरह का प्रतिबन्ध मैजिस्ट्रेट पर लगाना
गैर-मूलासिंच है। मैं समझता हूँ कि मैजिस्ट्रेट
को पूरी स्वाधीनता रहनी चाहिये कि वह
मुजरिम की हालत को देख करके मुजरिम
की अवस्था को देख करके, रुपया देने के नायक
है या नहीं, सजा भुगतने के नायक है या नहीं,
अगर रुपया देने लायक है तो रुपया देने के लिये
कम दे दे और अगर सजा भुगतने लायक
है तो उसको सजा करदे। अगर दोनों को
उचित समझेगा तो दोनों ही सजा देने के लिये
लिखा गया है और दी जावेगी। मैं समझता हूँ
कि सेलेक्ट कमेटी ने इन शब्दों में
परिवर्तन करके बिलकुल ही नाजायज काम
किया है, अच्छा काम नहीं किया है। जैसा
अन्य कानूनों में होता है वैसे ही इसमें भी
लिखा जाना चाहिये कि :

"may extend to six months, or
with fine or with both".

बल्कि जो मौलिक बिल का रूप या वही
रखता जाय। इसे बदल कर इसे सुचारा
नहीं गया है बल्कि इसका उल्टा किया गया
।

इन शब्दों के साथ मैं चाहता हूँ कि इस
कार कार जो संशोधन हमारे माननीय सदस्य ने
रखता है उसे स्वीकार किया जाय और
उस बिल को संशोधित रूप में पास किया
जाए।

15 hrs.

Shri Braj Raj Singh rose—

Mr. Chairman: It is already 3
o'clock and we have to take up the
other motions at 3 p.m.

15.01 hrs.

MOTIONS RE: REPORTS OF HIN-
DUSTAN MACHINE TOOLS

Shri Tangamani (Madurai): I beg
to move:

- (1) "That this House takes note
of the Annual Report of the
Hindustan Machine Tools
(Private) Limited for the
year 1957-58 laid on the
Table of the House on the
22nd September, 1958."
- (2) "That this House takes note
of the Annual Report of the
Hindustan Machine Tools
(Private) Limited for the
year 1958-59 laid on the Table
of the House on the 6th
August, 1959."

I do not find the Minister here.

The Deputy Minister of Law (Shri
Hajarnavis): I am here.

Shri Tangamani: In giving notice
of this motion that the two reports
Nos. 5 and 6 be taken note of, I had
indicated the points on which I would
like to raise the discussion. I shall
mention these points, and, as far as
possible, confine myself to them.
They are:

- (1) The over-fulfilment of the
original targets of produc-
tion of lathes, milling
machines and radial drills,
- (2) Need for further diversifica-
tion for the production of
cheaper lathes,
- (3) Need to discontinue the
royalty paid on the manu-
factured lathes,

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- (4) Working of the scheme of workers' participation in the industry,
- (5) Need to increase the number of trainees for whom training is provided,
- (6) Present financial position of the company and the future plans of development,
- (7) Condition of workers, and
- (8) Prospects of increased production.

It is needless for me to explain at this juncture how important it is to have more and more of these machine tool factories in this country. In the annual report of the Ministry of Commerce and Industry for the year 1958-59 we find the following passage:

"Machinery tools constitute a basic industry and the level of industrialisation is normally recognised by the progress achieved by this vital sector of industry. It is imperative that for the general progress of industrialisation, production of machine tools should be augmented at a much more rapid pace."

They do admit that the pace at which we are now moving is not rapid enough.

In the year 1957 about 18 units were manufacturing machine tools to graded standards and two more have been added to this category from January, 1958. The value of the production, too, has gone up to Rs. 3·7 crores as against Rs. 2·8 crores in 1957. This is largely due to the production in the Hindustan Machine Tools.

Hindustan Machine Tools have been manufacturing not only high precision lathes, but also have gone into regular production of milling machines of No. 2 and 3 size, and

drilling machines No. 2 and 3 size have also been manufactured.

Having said this, I would like to pay a tribute to the workers and also the management and the Ministry for the over-fulfilment of the original target of production of lathes, milling machines and drilling machines. Originally it was estimated that 400 machines would be manufactured by the end of the Second Plan, i.e., 1960-61, but we find that even three years before the target, namely in 1957-58, the production was to the tune of 402 machines, and in the year 1958-59 the production was 552. There was a revised target of 600 machines for the year 1958-59 but I must say that it was a very ambitious programme. There was peak production during December and January, and so when the production fell down during February and March, the officer concerned felt that it was largely due to the non-co-operation of the workers. I must pay a tribute to the incentive and the initiative of the officer concerned, and also to the capacity of the workers.

I remember the Governor of the Reserve Bank recently pointed out how the efficiency of the workers in this sector, particularly in Hindustan Machine Tools, has been on the increase from month to month and year to year. In terms of workers, originally one Swiss worker was equivalent to 4·2 Indian workers, and today one Swiss is equivalent to 1·75 Indian workers in this particular area. One of these days we will be able to prove that there is parity between the Indian and the Swiss worker in this sector.

Coming to the second point, as the House is aware, in the year 1949 the government of India entered into an agreement with the Oerlikon Machine Tool Works of Zurich, a Swiss firm, for the manufacture of these machine tools, and it was estimated that the authorised capital would be about Rs. 12 crores and that each year

Rs. 7 to Rs. 8 crores worth of machines would be manufactured, and there were certain arrangements also. We must be grateful to the Swiss firm for the help they have rendered to us.

But I must say in this connection that these high precision machine tools which are known as H-22 which have become a model and standard so far as our country is concerned, may not be very much in demand. It was originally priced at Rs. 38,000; subsequently it was reduced to Rs. 33,000 and today it is priced at Rs. 29,500. Even that may not be within the reach of many people, and Government must take measures to see that it is still further reduced. The margin of profit in the balance-sheet for the year 1957-58 will show that it warrants a reduction in the prices of even these high precision lathes. In 1957-58 the net profit, after allowing for depreciation and also 4.5 per cent interest on the loan advanced by the Government of India, was in the neighbourhood of Rs. 30 lakhs, and for 1958-59 it was in the neighbourhood of Rs. 33 lakhs.

Regarding diversification I am happy to find that not only are 14 types of high precision lathes being manufactured, but now 44 types of French lathes are also being manufactured, as also six types of milling machines and ten types of radial drills. In all there are 74 types of machines which are now being manufactured in Hindustan Machine Tools. I remember that on 3.4.1959, in answer to Starred Question No. 1663, the hon. Minister stated that an agreement had been reached with this French firm for the manufacture of these cheaper varieties of lathes. These lathes will be priced at Rs. 13,250 and this will be very much below the landed cost of the French equivalent. Again, today, in answer to starred question No. 632, we were told:

"There is an agreement with the Italian firm for the manufac-

ture of grinding machines. This agreement was signed on 7-10-59, and the selling price of these grinding machines will be less than the landed cost of the imported equivalent, based on the preliminary data of production."

And we were told that the first batch of production will begin by the end of March, 1960. I expect that both these types of machines will be produced as we were promised.

I would like to know from the hon. Minister whether as per the agreement, the four or five employees who were to be sent to Italy and France have been sent for training.

Arising out of this diversification, I must criticise Government for their lack of vision, because in such a huge concern as this, nothing will be possible without a proper foundry for the factory. This urgent necessity for the foundry in this factory must have been recognised. Now, we are told that the foundry project is expected to be completed before the end of 1960-61. Considerable difficulties involving increase in cost were experienced during this year by the company in the procurement of castings, in the absence of a foundry of its own, and in view of the increasing volume of diversified production of the factory. Work on the grey iron foundry, which formed part of the original sanctioned project could not be started due to the foreign exchange difficulties. But foreign exchange difficulties may be just a minor thing; when we have invested so much money on the machine-tool factory, Government should also have started a foundry along with it. It is now heartening to learn that such a foundry factory will come into operation before the end of 1960. I would like to know how far the work has gone on for the establishment of this foundry factory.

I shall not say much about the fourth point, because, as I have already mentioned, we must be grate-

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ful to the Swiss firm for the way they have helped us in the past. They were participating in the equity capital; subsequently, the equity capital has been purchased by Government, and now, the Government of India, through the President, is the shareholder.

About workers' participation, there was a series of questions this morning. Shri Nanda was pleased to say that it was very difficult now to make an estimate of the actual work in these various workers' councils. I believe it was in the Fifteenth Indian Labour Conference held in Delhi in July, 1957, that it was agreed by all the parties concerned, that workers' participation in industries must be started on an experimental basis; and fifty units were chosen, and HMTL was one of the units chosen in the public sector. When this scheme was actually introduced in Bangalore on 30th June, 1958, the inauguration ceremony was performed by Shri Manubhai Shah himself. I must say that this experiment, apart from what impressions he may have now, has succeeded to a large extent. After this announcement was made, I happened to be in Bangalore, and I visited this factory also; I found that the morale of the workers there was really very high. Although it is situated in Mysore, a number of skilled workers have come from all over the country. First class workers and excellent workers from Bengal and Tamil Nad also are in this factory, and they are now organised under a trade union. In such a public sector industry as this one, some concession should be given to the workers. They have organised themselves into one union; and when the workers' participation came in, the workers' representative also was selected. And we find from the sixth report, that an agreement was signed on 2nd September, 1958 with the employees' union, defining the constitution of the joint council of the management, its scope and its functions. I am sorry

to say that though this agreement defining the constitution of the joint council of the management and its scope and functions was signed on 2nd September, 1958, yet nothing much has come out of this. It may be due to a certain resistance on the part of the management. It may be that the workers are not in a position to see the difference, or to really visualise the difference between a trade union and a workers' council. Anyway, the meetings of these councils have not taken place, and we are not in a position to know how far it has advanced.

Now, a controversy has arisen as to which union should be represented. I must say that if there is a trade union which has got the support of the majority of the workers, politics should not come into play either at the level of the Ministry or at the level of the officer in charge. I am afraid that some such thing has come into play, which has more or less affected the atmosphere also. This morning, I was happy to find Shri Manubhai Shah telling us that the matter is being referred to the Labour Commissioner; and I know that the Labour Commissioner will be able to give only the figures of the respective unions; and the unions with whom this particular agreement was entered into in 1958 will again come out as the representative union. When once the representative character of that union has been established. I hope Government will not have any hesitation to negotiate with that union and look into the various grievances of the workers.

My next question is regarding the question of training. In 1958, there were 458 trainees. Now, in 1959, there are only 99 trainees. My point is that there should be an increased number of trainees, and training should be given top priority. I know that the training programme for the highly skilled workers for initially manning the factory has been completed in September, 1958, but proposals for utilising the training centre

for the Second and Third Five Year Plans have been formulated by the Government of India; a committee was set up for this purpose by the Government of India, and their suggestions have been approved, and I hope that this training will continue, and the number of workers who will be getting this training will be increased, for, I now find that the scope has been considerably increased, and instead of its being limited to about 458 workers as in the past, more than five hundred workers will be regularly getting training under this new scheme. I would like to know whether this scheme has been worked out, and also how many workers are now undergoing training there.

My next point is regarding the financial position of the company. I have already stated that Rs. 30 lakhs net profits has resulted in 1958, and Rs. 33 lakhs net profits in 1959, after allowing for depreciation and 4 per cent interest on loans advanced by the Government of India. The production and the sales for the year under review were generally 40 per cent higher than before, and net surplus 50 per cent higher than in the previous year. Of course, this surplus has also got to be viewed in the light of the reduced selling price of the special types of lathes. It has also got to be viewed in the light of certain wage increase which was conferred on the employees. Originally, for an unskilled worker, the monthly wage was Rs. 52; then, it was increased to Rs. 64; I believe, the present wage or the basic wage plus dearness allowance will be about Rs. 70. Now, these two increases have taken place, and after these two increases in the wages, and the two decreases in the selling prices of these lathes, the unit has recorded a net profit of Rs. 33 lakhs, which is Rs. 3 lakhs more than that of the previous year.

In this connection, I may mention that there is now a clear case for the

employees also getting higher wages. Recently, the report of the second Pay Commission has been published; the commission have stated that if 1949 is to be taken as the base year, then the basic wage plus dearness allowance, namely, the wage, for that year should be Rs. 70; today, in 1958, the dearness allowance which is payable on the basis of 1949 as the base year with 100, will be Rs. 10. For the Class IV employees of HMT, immediately a case arises for an *ad hoc* increment of Rs. 10 on the basis of the Second Pay Commission's Report.

My next point is about the condition of the workers. In 1957-58, this is what the Report says:

"The employee-management relations, discipline and morale of the workers during the year continued to be maintained at a high level and your Company remained unaffected by the disputes, strikes and unsettling conditions prevalent during the year in neighbouring large scale industries in the locality".

In other words, there was a lot of unrest in the public sector industries in that area, Bangalore, but there has not only been peace and harmony prevailing here but production also increased. It was in this period that multiple shift was introduced and the workers who were numbering about 2000 were increased to the number of 2786. For the year 1958-59, the Report says that the position has been satisfactory 'although towards the end of the year, conditions tended to be unsettled'. This resulted in the failure to fulfil the target of 600 machines.

I had occasion to mention something about this already. Here is a case of workers who have helped Government, who have helped the management, to over-fulfil the target. In 1957-58, the relationship has been very cordial. In 1958-59 also, employee-management relations were cordial and, as mentioned in the An-

[Shri Tangamani]

annual Report, peak production was also reached in December and January. I think in December they turned out 100 machines and in January, the production was 63 machines. But in February and March, the rate of 100 machines could not be maintained. The local officer was overambitious. He wanted to reach the target of 600 machines. But ultimately, only 552 machines could be manufactured. Instead of being satisfied with the 552 machines that had been manufactured, the officer, ambitious that he was, thought that, because of this unrest he could not fulfil the target—which was really an ambitious one. This is an aspect of the matter which I would like the hon. Minister to take into consideration in viewing the industrial relations, so that harmony can prevail in this area.

My last point is about the prospects. The prospects are really very bright. I have received reports saying that the other unit—the private sector—was competing with this public sector, with the result that production in HMT was affected. Some letters had appeared in the South Indian Press to the effect that expensive lathes are manufactured so as to benefit private interests who are manufacturing cheap lathes. I do not know how far it is true.

Now, I am happy that after our agreement with the French firm, more and more cheap lathes will be manufactured. I also find that Shri R. L. Kirloskar who was one of the members of the board of directors is no longer a member there. But I do not know whether it is going to materially affect the situation.

Shri Bimal Ghose (Barrackpore): Why is he no longer there?

Shri Tangamani: I do not find his name here. He was one of the directors.

Shri Bimal Ghose: In 1958-59?

Shri A. C. Guha (Barasat): He was there in 1958-59.

Shri Tangamani: He was there in 1958-59. But his name is not there along with others in the last but one page of the Annual Report.

Shri Narasimhan (Krishnagiri): Nobody will be a member for life.

Shri Tangamani: In the last but one page, I find the names of Shri N. R. Pillai, Shri E. W. Issacs, Shri L. K. Jha, Shri K. Narayanaswamy, Shri M. S. Thacker and Shri N. N. Wanchoo, but not of Shri R. L. Kirloskar.

Shri Bimal Ghose: He might have been absent at that meeting.

Shri Tangamani: Anyway, I take it that he is no longer a director there. If he is, I may be corrected.

Mysore Kirloskar Limited are also one of the machine tool factories producing cheap lathes. They are one of the concerns competing with HMT.

To recapitulate, the efforts made by Government for developing the machine tool industry in the public sector will be welcomed from our side. Not only that. We are grateful to the Swiss firm which helped us to set up this machine tool factory. But the original target was below expectations. They did not expect to manufacture 400 machines a year. But if the authorised capital of Rs. 12 crores is properly subscribed, we will be in a position to expand the capacity of this factory in this area so that when the time comes, the target will not be 400 but will be more than 1000 machines per year.

Today the machines which have been produced have been sold for Rs. 2.02 crores. A three-fold increase in production will be possible.

Then we must really see that the Workers' Council which has been set

up in this public sector must be made a success. Politics should not come into the picture. Union-management relationship was very cordial. Somehow, it has gone off at a tangent. It may be due to the over-ambition of the local officer concerned; probably it may be due to the demands put forward by the workers. But today the case for increase of the workers' wage is there.

According to the Report that has been presented to us, there are orders outstanding and nearly 200 machines will have to be manufactured. So I would like to know how far, after the agreement with the Italian firm and with the French firm, we have gone into production, how much of cheap lathes and how many cylindrical grinding machines will be manufactured during the current year and also the year 1960-61.

Mr. Chairman: Motion moved:

(1) "That this House takes note of the Annual Report of the Hindustan Machine Tools (Private) Limited for the year 1957-58, laid on the Table of the House on the 22nd September, 1958".

(2) "That this House takes note of the Annual Report of the Hindustan Machine Tools (Private) Limited for the year 1958-59, laid on the Table of the House on the 8th August, 1959".

Shri A. C. Guha: On reading the Reports of the two years, it is apparent that this Corporation has made sufficient progress. The latest Report is the sixth Report and if the progress already recorded is maintained, it is expected that in two or three years' time, Government may get some dividend out of the investment made in this Corporation. But even now, the finances of the Corporation are not quite sound. In the year 1957-58, the amount of Development and Commissioning Expenditure

written off was Rs. 22 lakhs. For the year 1958-59, the figure is Rs. 30 lakhs, and the profit made is just Rs. 32 lakhs. Next year, it may be somewhat higher. So I do not expect next year also there will be any dividend declared and a return for the capital invested on it. But this is the sixth year of running of the Corporation and the Corporation should have been able to declare some dividend and give some return to the Government for the money invested in it.

I do not know what is the position of Oerlikons now in the running of this Corporation. Previously, our experience was that we did not receive fair treatment. The agreement was to be revised; has it been done? I am surprised that the previous speaker who has moved this motion expressed gratefulness to the Swiss firm for starting this Corporation. The Swiss firm has got more than its due for helping us in this Corporation and in another undertaking for machine tools on the side of the Defence Ministry.

In this annual report I find two items, the payment of royalty on sale of lathes and royalty on sale of milling machines, totalling Rs. 4,76,000. Has it been given to Oerlikons or to some others?

There is another item, passage and incidental expenses, Rs. 1,30,000. Even after the sixth year of the Corporation are we to get any foreign assistance to pay their passage? Or, is it for our own men being abroad for further training? To whom is this passage given? To whom is this royalty given? I hope the hon. Minister will explain. If it had been given to Oerlikons how long will it continue? The amount has been rather increasing. Last year it was only Rs. 4,33,000 and this year it is Rs. 4,76,000. So, as the sale of the products of this Corporation increases, the proportion of royalty will also go on increasing. If so, for how many years have we to pay this royalty?

[Shri A. G. Guha]

What will be the amount due for next year and the year after? Government may give us some idea of that also.

I do not understand why this Corporation has taken a loan of Rs. 72 lakhs from the United Commercial Bank and is paying interest. Last year the interest paid was Rs. 361,000. In addition to this, the Corporation has taken a further loan of Rs. 167 lakhs from the Government of India. I think it is better that the Corporation takes loans from the Government of India and not from others and incur expenditure by way of paying interest on loans to any commercial bank. If a loan from the Government of India is available why should the Corporation take a loan also from a commercial Bank and pay higher rate of interest?

One good feature of this Corporation is that the prices of articles have been reduced considerably. Now they are selling quite cheaper than the imported lathes and milling machines of some quality and standard. That is an achievement on the part of this nationalised industry. The wages of the workers have also been increased twice, I think. The wages are now fairly on the good side and the relations between the workers and the management are good.

Shri Harish Chandra Mathur: Output is good and prices are cheaper.

Shri A. C. Guha: There is the item purchase of raw materials worth about Rs. 1 crore. I do not know whether the purchase is made by the Corporation by open tenders, or is there any purchasing agent for the Corporation. I do not know whether we are paying anything by way of commission or discount for the purchase of these raw materials as we pay royalty on the sale of goods. On the whole, the Corporation has been doing quite well and I expect that within a few years' time it will be

possible for the Corporation to declare some dividend.

Another point I forgot to mention. The number of trainees has gone down. At the same time I find a proposal for utilising the training centre for training all the field workers required in the country during the Second and Third Five Year Plans that has been formulated by a committee set up by the Government and the proposal submitted has been approved by the Government of India. Why has the number of trainees gone down considerably? I think up to 1st March, 1958 the number was 458 and on the 31st March, 1959 it was only 99. Why is it so when there is proper equipment and a well equipped workshop for training? Government should not allow well equipped workshops to lie idle, they should be utilised for training artisans from all over the country and proper selection can be made from every State according to the requirements of each State so that the trainees may go and start small factories of their own on their own initiative or may be utilised in other industries. I expect that the training facilities of this Corporation would be fully utilised.

I wish the Corporation good luck and I hope it will be able to give a proper return on the money invested in it.

Shri N. R. Muniswamy (Vellore): Mr. Chairman, Sir, at the outset I congratulate the Ministry and the administration on the magnificent work which they have been doing during the last 4 or 5 years. I also congratulate the sponsor of this discussion for providing us a chance to focus the attention of this House and also draw the attention of the Minister and the Administration to the various problems before us. I may be permitted to add some more points at the cost of inflicting the same points on this House which have been agitating the minds of the people both inside Par-

ment and outside. I may be permitted to voice some of them.

One point which I wish to bring to the notice of this House is the dependence of this factory on the private sector. I notice there is a great deal of dependence on the private sector in the sense that the castings are being supplied by the private sector. If no supplies are made by the private sector—so far as the castings on which they make impressions and manufacture precision machines are concerned—the industry will not be put to the full use.

The hon. Minister will correct me if I am wrong; in 1957 at a particular stage the castings were not supplied by a particular individual or the private sector and they could not proceed with the work. When these things are not supplied there is a standstill in the progress of this factory.

Therefore, I would urge upon the hon. Minister that instead of depending on the private sector so far as the supply of castings is concerned, it is better they have their own foundry. They must have a foundry established so that they can have their own plans for modification and change in the milling machines, the drills and other machines. I think I must, to some extent, agree with Shri Tangamani that persons who compose the Board of Directors are responsible for this.

Barring some individuals who happen to be directors of this Board, one or two happen to be private individuals and those individuals have got some factories. People having interests of their own in a similar way ought not to be in the Directorate, because they always use their influence to see that their articles are being mainly supplied to this factory and they stand to gain. In that way I am saying that there is a great deal of politics being played.

In 1957, it has been brought to my notice by some responsible persons, whose names I am reluctant to disclose, that the concern can be brought to a standstill in a moment if they only thought of doing that. That indicates that they are having strings in their hands. If they like they will allow the factory to run; if not, the factory cannot be run. Why should it depend on the private sector? In the composition of the board of directors, we must scrupulously avoid persons who have got interests in similar business. Rightly or wrongly, the other directors will have to lend their ear to him and so, this position is to be examined. I am not saying this with reference to this factory alone. There are many factories run by the Government in the public sector and we should avoid having such persons in the board of directors.

My hon. friend spoke about the royalty. Even after having passed a certain stage and we are not depending upon others in the least for the manufacture of these tools and other things, there is no need for us to give royalty at a high rate. It seems to be Rs. 3,000 or so on some models and certain types. How long should it be paid? It should not be ad infinitum. Therefore, this position should be reconsidered. We should see whether we are not losing very much by paying more than necessary.

As regards the incentive to the workers, much has been said by the sponsor of this motion. I find that the incentives given are sufficient. When I went to that place and enquired about it, they were very much pleased about the accommodation and other amenities. I think they have no grievance except the apparent grievances sought to be agitated in this House by some Members. There is no ground or basis for that.

A recent contract had been entered into with an Italian firm about the training and five trainees will be sent to Italy from the HMT to get higher

[Shri N. R. Muniswamy]

training. This is fourth or fifth contract that we have entered into with the foreign countries and with all these countries we must have similar arrangements. But five is a small number. We should have at least a dozen, if we cannot raise it to 20 or 25 trainees so that there will be some standbys. If at the time of entering into that agreement, they had said that the number of trainees would be 12 or 15, there could be no grievance at this stage if we send more than five.

We are getting foreign technical experts and technicians and they are here on deputation. They are given ample facilities and comforts. I was told that the various technicians who come here were able to impart necessary knowledge to these people but unfortunately the people who had to receive that knowledge were not up to the mark to get the maximum benefit. I do not know if that is true or the persons imparting the knowledge are not giving out the full know-how. Where the real difficulty lies? Government should look into this matter and see whether the persons who are to receive the knowledge are less efficient or whether it is otherwise.

India needs a good deal of designing and it is not a thing to be copied. It comes from the brain itself. People who are very capable in all these technical aspects are able to design certain things. Now, we are copying designs of others. We must train our persons in such a way that they are able to design things themselves instead of depending upon foreign technicians all the time. We must now be able to improve upon them or give a different turn or twist to them. We are now having only stereo-typed designs and we multiply them. But I say that we must make our own designs and patents so that it becomes our own.

According to the agreement, permission is given for our products to

be marketed to outside countries such as Pakistan, Ceylon and other places quite close to India but none of our goods can go out of these places. We cannot send our machines to other western countries at a competitive price unless we make a different type of thing from the one that is ordinarily placed in the European market. The Ministry must use some influence and give some incentive so that different types of machinery are produced. Then a time would come when they will invite our technicians to their countries. When we sell our commodities, it must be on a competitive basis. Otherwise, it would not be popular in those countries. The Ministry should see that this factory has its own foundries and castings rather than depending upon the others.

The lathes that they are manufacturing are copied from other models; they are not altogether new. I will give an instance. I found one saw there. It works when it comes but remains idle when it goes back. I said to the technician there: "Could it not be constructed in such a way that while going back also it would cut the wood?" Then, there would be no idle capacity. "It is a good idea but it never struck us." That was what he told me. So, idle capacity is still there because they are not able to utilise the capacity of this machinery to the fullest extent. Persons who go there—technicians, experts, engineers or Members of Parliament—can offer their opinion.

Shri Mathur is doing a magnificent service there taking the co-operation of all the workers. At no time was he at logger-heads with the workers and the apparent dissatisfaction, which my hon. friend spoke about, will, I hope, be settled very soon, if it exists.

Shri Bimal Ghose: The Hindustan Machine Tool Factory has the reputa-

tion of being one of the best units in the public sector. I believe it is one of the items which the visiting dignitaries are taken around and shown. It has quite a lot of achievements to its credit and the quality of the goods produced is of the highest and compares favourably with any imported ones. The target which was set up for 1960-61 was achieved in 1957-58. As my friend Shri Tangamani had pointed out, in 1958-59 the target of 600 machines was set. It was not achieved. I do not know why. Was it due to the fact that there was a falling off in demand in the middle of the year or there was inadequate supply of good quality castings. Both the reasons are mentioned in the report. I do not think the falling of demand should have been a material factor. The report says there were as many as 728 machines on demand during the year and the production was only 552 machines.

Now, Sir, I want to say something really about the finances of the company. I seem to disagree both with Shri Guha and Shri Tangamani. What is the price policy of this concern? It is good that prices were reduced from Rs. 36,000 to Rs. 29,500. But, at the same time, they had not been able to make any profits to pay any dividend. When goods imported of similar quality sells, I understand, for about Rs. 39,000, why should we have reduced the price and made a reduction in our profits when the Government capital to the extent of Rs. 5 crores is concerned? Now, if we have reduced the prices who has benefited and who has lost? The benefit has been derived by the private sector at the cost of the public sector, because the public sector has got no return on its investment of Rs. 5 crores.

I ask the Government, I ask the hon. Minister, is it a good policy that we should go on reducing prices and not earn sufficient profits with a view to be able to declare a dividend be-

cause it is public money that is invested? If it were a private concern, I am sure that would not have been the policy followed, because unless some return is earned on the capital the prices could not have been reduced. I am not against reduction of prices, my point is that it should not have been done at this stage when this was done. It could have been reduced when consistent with the making of profits prices could be reduced.

I do not also agree with Shri Guha when he said that raw materials should be bought by tender. That is not practicable in a commercial concern. If we lay down such rules, we better not set up companies in the public sector. I think they should be given freedom to function as a commercial concern does.

There is one point here which has some bearing on the efficiency of the concern. I find from the balance-sheet that the value of the stock-in-trade and raw material is equivalent to the whole year's production. If the whole year's production is about Rs. 2 crores, the value of stocks and raw materials is also about Rs. 2 crores, which appears to me to be very high. The hon. Minister may look into this, because if there could be some saving there that would also mean some profit to the company. I do not know of any commercial concern which needs an year's stock of raw materials or stock-in-trade as has been the case with Hindustan Machine Tools.

Also, I do not agree, as Shri Guha said, that the company should not have taken any loan from a commercial bank. There is no harm in taking loan from a commercial bank. If all the government undertakings were to take loan from the Government, wherefrom will they get all the money? Secondly, it is unfair that a commercial concern should be enabled to have a loan from the Government at a reduced rate of

[Shri Bimal Ghose]

interest of 4½ per cent. whereas private concerns have to pay a higher rate of interest. Therefore, even in this balance-sheet we should have calculated the rate of interest on Rs. 1,67,00,000 at the commercial rates and found out as to what was the profit made; otherwise it is not a fair comparison with any commercial concern. That would have taken away about Rs. 3,00,000 or more, and would not have left any surplus, that is, any net profit, if interest at 6½ per cent to 7 per cent had to be paid or at least 6 per cent as is the case with a commercial bank.

I have only one thing more to say, and that is about the composition of the directorate. I find that in the 1958-59 Board of Directors all directors excepting one were officials.

Shri A. C. Guha: That is the general practice.

Shri Bimal Ghose: I do not know if that is a good practice, that all the directors excepting only one individual, who I understand has also been removed, are officials. I feel that some businessmen should also be associated in the directorate of these concerns because these concerns will benefit from their experience.

I am not in a position to say whether I am happy nor am I in a position to say whether I am sorry, if it was Shri Kirloskar who was removed, because in the private sector nobody becomes a director of two companies which produce the same commodity.

The Minister of Industry (Shri Manubhai Shah): Nobody has been removed; it won't be correct to say that.

Shri Bimal Ghose: I do not know; that is what Shri Tangamani said.

Shri Prabhat Kar (Hooghly): He is not there.

Shri Bimal Ghose: If he is not there, I do not know if he is not there of

his own volition. There should be businessmen in the Board of Directors but there should not be a businessman as director of the company who has interest in the same commodity in the private sector, because this is not to be done in the private sector. Also, there are secrets and other things that should not be known. In the initial stages there was a lot of competition, a lot of criticism and opposition from the private sector to the expansion of Hindustan Machine Tools. Even now I understand that about the arrangement that has been made with the Batignolles of France there has been criticism, there has been criticism of that agreement because it is said that it will compete with the private sector products. Of course, the Machine Tools Committee had stated that there should be no overlapping between private and public sectors in so far as production was concerned. I do not know what the exact position is. If there should be really competition between the private and the public sector in regard to products which will be manufactured in arrangement with the Batignolles, then that matter should also be looked into.

I believe, Sir, that although this is a very good concern financially it is not satisfactory. Nearly six or seven years have passed. If it were a private concern, then the Government would have said that the company is not running well at all. In the same way, this company should give some return to the Government for the money that has been invested and should show reasonable profits.

Shri Harish Chandra Mathur (Pali): Mr. Chairman, Sir, I have a very beautiful report in my hands, beautiful in every sense, not only the glazed paper but also its contents. As a matter of fact, I just expressed the desire to say a few words on the subject because it is very seldom we find

an opportunity to say something in praise or to offer our congratulations to the Government.

Now, here is a unit in the public sector which, as a matter of fact, was criticised on the floor of this House three or four years back for its performance. The Ministers were reassuring us, and in spite of all the doubts that were expressed here this concern has today and even last year been able to present a report of its performance which should be found thoroughly satisfactory. I, therefore, wish, Sir, that a word of cheer must go from this House to the management and the workers.

Here is a concern which, as a matter of fact, has adopted the policy of participation by the workers. This is the first unit in the public sector which adopted this system and this has worked thoroughly satisfactorily. All that goes to make a sound concern is increase in production, reduction in prices, better wages for its workers. All the three ingredients are present in the performance of this particular unit. Therefore, a word of cheer is most certainly deserved and earned by the performance of this unit.

Some objection was raised about the payment of royalty by my two predecessors who participated in this discussion. I think it will be realised that the royalty is being paid according to a particular agreement, and I do not think we should grudge the payment of royalty which is according to the agreement which we have entered into. The agreements must be honoured and I do not think a feeling should be given to the effect that we grudge the payment of royalty which is due according to the agreements.

16 hrs.

Shri A. C. Guha: The point is whether the agreement was fair or not, from the point of view of this country. If the royalty is stipulated in the agreement, we are legally bound

to pay the royalty. But the question is how long this will continue.

Shri Harish Chandra Mathur: I think this point should have been raised in the first report or in the second report. Now, it is rather too late to ask whether the agreement is fair or not. I do not think this unit, which is rendering a great service in the industrial development of the country would have come up without this agreement. Was it our choice? Are we the dictators, or, were we in the position where we could dictate the terms? As a matter of fact, because of this agreement, even in its present application, it has been able to render a real and useful service to the industrial development in this country. The lathes which have been produced in this unit have been highly appreciated all over for their excellent performance. We must give credit where credit is due. We must give credit not only to the workers but to the foreign participants who have helped us. If foreign participation has helped us, we should not grudge the payment of royalty which is due according to the agreement which we have entered into.

I am rather keen to know from the hon. Minister as to what the expansion programme of this unit is. What I find is this. This unit, though it has been doing an excellent job, falls far short of the needs in this particular line, and there is a general feeling that this unit could be very usefully expanded to meet the requirements of the country. Still there are various kinds of lathes which are being imported into our country. I would like to know from the hon. Minister whether they have made any assessment of the entire situation as to the particular type of lathes which we are importing from year to year and what further expansion programmes could be adopted in this particular unit. This unit, which has now been set on proper lines, should be encouraged to take up an ambitious expansion programme so that in our third Five Year Plan we may be able to get most of these lathes and

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milling machines. These are the types of machinery that are of much use in most of our engineering units, and it is expected that during the coming third Five Year Plan, our requirements of such types of machinery would be much more than what could be envisaged even at present. Therefore, I am very keen about the expansion programme.

I would like to say a few words about the directorate. We all know, and it has been very correctly pointed out by my hon. friend Shri Bimal Ghose, that this unit has been overburdened with officers of Government. Maybe under certain compulsion of circumstances, they had to constitute the directorate in that way at the initial stages, but it is certainly the time now when a second thought should be given to this matter. As a matter of fact, this point has been agitating the minds of hon. Members on the floor of this House more than once. I also had tabled questions whether the Government have come to any conclusion regarding the constitution of the directorate for such enterprises in the public sector. The hon. Minister, I hope, has given some thought to this matter and he will be able to tell us how he proposes to reconstitute the directorate.

Shri Kirloskar was a director on this unit last year. He is a highly respected person, and I am sure he must have been extremely helpful. It has been urged that he is also managing and controlling certain establishments which are producing similar items of machinery. Of course, it is true to an extent, though, so far as my information goes, the type of machinery which is being produced by Kirloskars is very much different from the type of lathes and the milling machines that are being produced in this unit. When he is a man of experience, a man who is generally respected all over the country, a man who has always been trying to be helpful in establishing

ancillary industries, and rehabilitating most of the small industries, it should not be taken, by the observations made here, that we have any objection to that kind of person being on the directorate. I wish no such feeling should be there.

Of course, it is very correct in principle that industrialists who are engaged in competitive lines should not be put on the directorate, because we should not give any room for any suspicion anywhere. We have not the least doubt about the soundness of that person. He has acted as a director in the best interests of this particular enterprise. No Member of Parliament has made even an indirect suggestion to say that certain vested interests came into play.

Shri C. R. Pattabhi Ramam: Do you object to businessmen coming into the executive?

Shri Harish Chandra Mathur: Certainly not. I am even defending the man who was in a particular line and who has acted in the best interests of the country. I do not object to businessmen and industrialists being on the directorate, but I do object to the Members of Parliament being on the directorate. I have stressed this point quite a number of times. As a matter of fact, when the Shipping Board was constituted, even then, I said that I did not want Members of Parliament to be mixed up with the directorate, and I said that position should be changed. The gentleman who is now on the directorate is a personal friend of mine, but apart from personal friendship or relationship, I feel that Members of Parliament should be kept studiously out of these directorates, and they should not be mixed up with them, and no vested interests by way of supporting a particular enterprise should be created.

I hope that now we are going to adopt a sound policy. A parliamentary committee is likely to be appointed; it will have a general and overall supervision and control; just as we

have got in the case of the Public Accounts Committee and the Estimates Committee, we are likely to have a strong parliamentary committee which will look into the working of public enterprises. No particular individual should be associated with any particular directorate.

My hon. friend Shri Bimal Ghose also referred to the financial structure and performance, particularly in this context of machine-tools. I always attach the greatest respect to Shri Bimal Ghose, whose suggestions are always very constructive. A very straightforward thinking is done by him, and he is certainly a very competent person. I do not possess half the knowledge that he has on this subject, but in this particular matter I feel that the enterprise is making really a good profit. It is about 10 per cent. They are trying to follow a very sound business policy. The prices, I think, have very correctly been reduced, because, in spite of the reduction of the prices, they are keeping a fair margin to go to the reserve fund and the development fund and to wash out all that has been incurred earlier. I think that in due course, in the next three or four years, now that it is proceeding on absolutely sound lines, and making a good profit, it will attain an absolutely sound financial position. It is definitely helping this country's development, if the prices are reasonable. My friend said, at the cost of the public sector, the private sector is just flourishing. When we were importing machinery, we did not know what was the component of margin then. It was just exploitation. Does my friend go out and argue that our public enterprises also should follow that policy? Who are the people manufacturing all this machinery? Most of them are private enterprises.

Shri Bimal Ghose: Does my hon. friend agree that if necessary this company may not declare dividend for 10 years and go on reducing the prices, if only without declaring dividends, there is a profit?

Shri Harish Chandra Mathur: I only want to pinpoint attention on one point. What is the margin of profit which is made and what is the margin left after the reduction of prices and the payment of wages? If it is 10 per cent, I say it is good enough and there should not be a greater margin.

I have also raised in the question regarding the price structure particularly and the production in the public enterprises. As a matter of fact, I had given notice of such a subject to be discussed in the consultative committee. It is my strong view that we should not work on a no-profit-no-loss basis. We must make a bare margin of profit, which should be ploughed back to develop that industry and should be made available for our third Plan. That goes without saying. But we must be rational in this. Otherwise, there would arise the same argument which was being used all the time against the private sector when we originally initiated the theory of public sector. I do not agree with that theory. I say we must make certain revenues available and that the public sector should function so that it makes certain revenues available.

The leader of my friend's party also made this point very strongly when we were discussing and reviewing the progress of the third Five Year Plan. He said—and I entirely agree with him—that we must make certain profits, so that they are made available for the development of the country. But I do not want it to go beyond a particular limit and we should not exploit. I do not consider the proposition, that because the imported machinery is available at a higher cost, we must keep the cost at that par, to be reasonable, because the imported prices are not reasonable prices, but there is great exploitation. I do not want that our public enterprises should indulge in that sort of exploitation.

For instance, the prices of drugs which we were importing in the country were five or six times more; it

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was complete exploitation. Do you think we should fix the prices of the drugs at the same level at which we were importing them? As a matter of fact, those countries themselves have been compelled to bring down the prices, because they had always been taking advantage of our backwardness and undeveloped character, knowing that we had no alternative, but to depend on them and their manufacturing programmes.

As it progresses from day to day, the margin of profit is bound to increase. If it is kept at 10 or 12 per cent, I do not mind. But the prices must be kept reasonable, so that the development of the country does not suffer. I think this subject of general interest regarding the price structure in the public sector should be discussed on the floor of the House and a policy statement should be obtained. I say that this matter may be discussed in the consultative committee and let the Minister make a policy statement so that we know where we stand and what policy the public enterprises are going to follow.

I have hardly anything more to add. I once again congratulate the management and workers, who have given a happy performance of this enterprise in a public sector unit.

Shri Prabhat Kar: The Hindustan Machine Tools Limited, I think, is one of this undertakings which the Ministry of Commerce and Industry should be proud of. The fact remains that this undertaking, with the help of the workers and the co-operation of the management, has been progressing well.

16:16 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

But when we discuss the working of this particular factory it is our intention to bring to the Ministry some of the difficulties which we consider as responsible for no further progress in this particular sector.

The last speaker dealt with more or less a theoretical discussion as to what should be the composition of directors. Now, if we look into the composition of the directorate of the Hindustan Machine Tools we will find that in spite of its consisting of only officials, this factory during this period has made progress, for which any factory worth the name could be proud of. So, this directorate of the Hindustan Machine Tools has been doing good work. Now, what should be the composition of the directors in the public sector, that may be a matter for discussion, which we could discuss afterwards. While discussing this particular annual report of the HMT, that question does not arise.

Now, so far as the question of HMT having its own foundry is concerned, I want to know whether by this time the foreign exchange has been released, and if the foreign exchange has been released whether the orders have been placed and when exactly this particular foundry will start work. Because, when we had been to Bangalore and I had the opportunity of visiting HMT, while going round I found that a most difficult situation has been created because of the lack of foundry in the HMT. The question of profit came in for discussion, and there has been difference of opinion between Shri Mathur and Shri Bimal Ghose about the profit of this concern. If the HMT had been given scope for having its own foundry, then the profit would have been more than what has been shown in the balance-sheet. From the balance-sheet we find that because of the writing off of the development and commission fee of Rs. 30 lakhs the profit has come down. Otherwise, the profit would have come up to Rs. 33 lakhs. These are the difficulties which it is necessary for us to remedy and so we have to see that the Commerce and Industry Ministry releases the foreign exchange. I do not know why they have taken such a long time to decide whether there should be a foundry in

this particular institution, when this institution is facing much more difficulties for all these years. Anyway, it is a good thing that they have now decided to have it.

Secondly, it has been stated that there should not be any overlapping of production. HMT has been manufacturing high precision lathes, and the demand in this country for lathes is increasing. Today there need not be any overlapping of production, but the fact remains that the demand of the country is not yet met, because HMT themselves are not in a position to supply all our demands, and we have not been able to meet the requirements of the country. It is necessary that in our expansion programme, we see that the H.M.T. tries its level best to meet the demands of the country. Instead of just leaving a particular type of production—one or two—in the hands of the private sector, it is necessary to see that in the public sector we meet the requirements of the country. Therefore, if, at a certain stage, there may be overlapping, we need not avoid that, because, the more important thing is to supply the needs of the country.

So far as the point as to what should be the financial dealings with the banks is concerned, I think it should be run as a commercial enterprise, and whatever is necessary to run it as a commercial enterprise should be done. As regards getting loan, here it is cash credit limit by hypothecating. The sum of Rs. 72 lakhs which has been taken from the United Commercial Bank is quite fair and it is just a part of a commercial deal of which we need not take any cognisance.

The next question which I have already touched is this. Due to the co-operation of the workers, we could not only fulfil the target, but overfulfil the target in production. Today, whatever be the reason, there has been some difference between the employer and the workers. In this particular industry in the public sector, the first opportunity was taken

to see how the workers' participation in management can work. The result during the first nine months has been that, with the co-operation of the workers, it was possible even to treble the production. I do not know what are the reasons which are standing in the way. The Commerce and Industry Ministry should take note of what the workers have been able to produce as a result of their co-operation during the last nine months. They must come back and the things which are standing in the way of not getting full co-operation must be removed. What is most important today is that with the help of the workers and their co-operation, we increase production and meet the demands. That is a factor which I would like the hon. Minister to take cognisance of and accordingly move.

About our agreements, much has been said. I agree to that extent, as Shri Bimal Ghose said, that so far as the activities of the Oerlikons were concerned, they were not very good.

Shri A. C. Guha: The Government was also not feeling happy with their past behaviour.

Shri Prabhat Kar: Anyhow, we have been able to manage, and so far as the new arrangement is concerned, we have been able to purchase the shares back. It is a good thing. They help in the initial stage. Speaking about workers, I wish to bring to the notice of the Minister one thing whether he is aware of it or not. As Shri Tangamani said, so far as the proportion of the Swiss worker and ours is concerned, it was 1.75. I was told that it has been .9. We were told by the General manager that it is not only 7.75, it is not only 1, it has come to .9. That is how the workers are working in the H.M.T., how they are trained and how they are carrying on. I would like that whatever difficulties we are facing in the H.M.T. must be cleared. The H.M.T. is an important institution of the Commerce and Industry Ministry. The Hon. Minister will have to see that whatever complaints that we have

[Shri Prabhat Kar]

got or whatever points that we have raised are cleared and the H.M.T. moves fast.

Shri Manubhai Shah: Mr. Deputy-Speaker, I am most grateful to the House for the extremely complimentary and congratulatory trend of the discussion on these reports. I can assure the House that I shall consider it my proud privilege to convey the feelings of the House to the workers principally, and the management of this concern.

As I said when I was inaugurating workers' participation in the management of the company, this is the *magnum opus* of the public sector. Hindustan Machine Tools is one of the brightest jewels among the public undertakings which the Government of India have set up since independence, and the trend of the compliments that were paid in the House this afternoon is a positive proof that the *magnum opus* has justified the hopes which the people of this country put in it.

As far as production is concerned, the workers and the management of this factory have reached the target in the very second year of the Second Plan, the target which they were supposed to reach by the end of the Second Plan period, and therefore both the Government and the board of management had to revise the target and upgrade it as the hon. speakers have pointed out.

The recent programme has been multifold and diversified. As Shri Mathur rightly pointed out, it is not the function of this enterprise to produce only lathes; it should subserve the larger needs of the country in the supply of machine tools of various kinds. As the House is aware, there are more than 10,000 types of machines of which 30 to 40 are multi-purpose machine tools which are basically required by all industry. Therefore in the upgrading of the targets, not only have we increased the number

of lathes which we had originally targeted for with Oerlikons, but as the report points out, we are producing milling machines with the collaboration of Messrs. Fritz Werner, radial drills with the collaboration of Messrs. Hermann Kolb, medium sized lathes with the collaboration of Batignolles and grinding machines with the collaboration of Olivetti. Thus, we have added four more types of collaborations in order to produce more of machine tools for this country.

Here I should like to dispel the feeling which Shri Muniswamy raised that foreign collaboration has very little part to play in machine tools. If anything, the facts are just the contrary. Machine tools are the mother of the industrialisation of any country, much more so of an under-developed country. Therefore on my behalf and on behalf of the Government of India, I have always welcomed foreign technical collaboration, particularly in higher skill functions which an under-developed or less-developed country like ours is still not possessing. I must therefore express our deep gratitude to all these foreign firms who have extended their technical collaboration to us on very reasonable terms.

Even in respect of Oerlikons, about which there has been some controversy, the net outgoing in 1955-56 on account of royalty was only Rs. 41,548; in 1957-58 Rs. 84,028-80; in 1958-59 Rs. 72,531. If a country like ours which even now imports more than Rs. 15 crores worth of machine tools of all categories, has to become self-sufficient and also to export, as some Members rightly desire, within a reasonable period of time, we will have to enter into these technical collaborations. All that the House and the country are entitled to judge is whether the collaboration is of a reasonable nature, whether the particular designs of machines can otherwise be produced in this country without that technical collaboration.

can assure the House that these are the main criteria on which we invite any technical collaboration or approve of any technical collaboration in the public sector or in the private sector. These five technical collaborations in the HMT are some of the most important collaborations, and have proved very fruitful to us in increasing the production of Hindustan Machine Tools.

The next point which was urged was about the composition of the Board of Directors. In the booklet which is before us, the names of two more gentlemen do not appear. We had added Shri Narahari Rao, our former Auditor-General who is now a retired person and therefore not a Government representative; his very valuable experience has been added by inviting him to come on the Board of Directors.

There is certainly a little difference of opinion regarding Members of Parliament. But when we reconstituted this board earlier this year, we invited Shri Keshava, M.P. from Bangalore, who represents that constituency, so that we can get the benefit of his advice and guidance in regard to local affairs, in increasing the productivity and bettering the environment of this factory.

Similarly, Shri Poonacha, now chairman of the State Trading Corporation was then a free gentleman, and we had invited his co-operation, in view of the fact that he had considerable background of industry and trade, both as the Chief Minister of Coorg and later as the Minister of Industry in Bangalore, and later as one connected with, and having a very wide experience in, this type of economic affairs.

Therefore, our main approach to the composition of the board of directors has been not one of a doctrinaire or dogmatic type, but something which is more suited to the individual circumstances of this corporation. The boards generally include technical experts, who are germane to the enterprise, public men of outstanding

ability in economics, business and industry, who could contribute to the greater productivity and better management of the enterprise, and also labour representatives whose association becomes conducive to the more harmonious working of the enterprise. So, we have not made any very hard and fast rules or distinctions to omit any particular section of public life in this country, who could contribute to the greater development and greater efficiency of these enterprises. So, from this criterion, the board of directors of the HMTL also is composed of diverse useful elements which will go to strengthen the management of that concern.

Regarding friends in industry, who might be the beneficiaries from a particular enterprise, we generally try to avoid them, not people who are running similar concerns elsewhere, but persons who might be sub-contractors or who may have to supply certain materials to that concern. That is a normal rule of business that we would not like such people to be represented on the board of directors; as are direct beneficiaries.

So, I can assure my hon. friend Shri N. R. Muniswamy who raised this point, that none of the people on the board of this corporation or the other corporations are any friends either from industry or from among business experts or people representing the labour or people of any other type of description, who are financially or commercially connected with these enterprises, either in the matter of placing orders or buying large bulks of goods from such enterprises.

Then, the question was raised about the workers' participation in management, the price policy of this particular concern and the profit that has accrued to this enterprise since the last three or four years. I may draw the attention of the House to the fact that it was in May, 1958, that, for the first time, the production of the Oerlikon lathes began in this enterprise. It is within this short period of three years that it has

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made the following profits; in 1956-57, the gross profit was Rs. 17 lakhs; in 1957-58, the gross profit was Rs. 30.7 lakhs; and in 1958-59, the gross profit was Rs. 41.9 lakhs; the net profit was Rs. 4 lakhs, Rs. 21.6 lakhs, and Rs. 32.9 lakhs respectively. I am glad to inform the House that during the current year, the profit is likely to be almost thirty to forty per cent more than in previous years. My hon. friend Shri Harish Chandra Mathur was right in saying that as the more consolidation of this enterprise takes place, or in fact, the consolidation of any other public enterprise takes places and the more diversified and the greater the volume of production that emerges out of these enterprises, the greater is going to be the profitability thereof.

All these profits are in spite of the fact that we have tried to continuously bring down the prices of these machines to match with those of comparable types of machines imported from outside in regard to price, the c.i.f. or the landed cost, and also in regard to utility of such machines or products to the public, in the light of the welfare of the various industrial enterprises, in the public and the private sectors.

We cannot take an absolute view in regard to the pricing of these commodities by saying that we must make extraordinarily high profits by raising the prices, because this is more or less a monopoly type of working in this sphere.

Shri Harish Chandra Mathur: If the prices are high, then the sales will not be so much.

Shri Manubhai Shah: Also, it will not be proper to sell a machine at an extraordinarily high price as compared with that of its counterpart imported stuff which otherwise would have been imported but for the various import policies, protection policies or entrepreneur policies in the country. Therefore, a balance is being maintained that a public sector enterprise must work on sound commercial principles, and after its having done so, the pricing must be

such that sometimes it might have to subserve the higher social goals, the goals of national enterprise, and the goal of fostering industrial development of such a vast country like ours which has so many under-developed sinews spread over farthest corners of this great country. Therefore, in line with this policy of Government, we have been trying to see that the pricing policy of this enterprise is so adjusted that it makes a reasonable profit. It was also asked why these profits were not reflected in dividends. There also, a sound commercial principle has been accepted that any developmental or commissioning expenditure which any public sector enterprise undertakes should be paid off and not be over-capitalised in that particular concern. We could have issued more share capital worth about Rs. 80 lakhs representing the Development and Commissioning expenditure, that is, converted into share capital, and the House would then have seen that these are all absolute profits. But we want to follow a more sound commercial principle that the developmental and commissioning expenditure of such enterprises must be paid off by the concern and then they should be entitled to return the money back to its shareholders, whether they are in the form of 100 per cent public shareholding or joint ventures between private and public enterprises.

Shri A. C. Guha: We should like to have the break-up of the developmental and commissioning expenditure.

Shri Manubhai Shah: I can give that also. The developmental expenditure relates to the earlier part, namely, the promotional expenditure, and the commissioning expenditure relates to a later period, in training the higher types of technicians, expenditure on a certain amount of technical advice, consultancy advice and so on. If the hon. Member is interested, I can give the break-up year-wise also in regard to the developmental and commissioning expenditure.

Shri A. C. Guha: They may be shown in the balance sheet.

Shri Manubhai Shah: Broadly speaking, in the balance sheet, it is not shown that way. This is a later innovation which we have introduced, that the developmental and commissioning expenditure of every public undertaking must, as far as possible, be paid off by the returns from that undertaking.

I am glad to say that all hon. Members without any exception have paid very high tributes to the performance, the quality of machines and the pricing policy, as well as the overall growth of production in this enterprise.

Then one has also to bear in mind that the gross or net profit has to have some relation to the volume of output. In this factory which is a highly capital-intensive factory, where the investment-production ratio is less than 2:1, we cannot have profits which will be a very high percentage as compared to the value of the turnover. The value of the turnover of these machines is about Rs. 2 crores to Rs. 2½ crores. Therefore, a profit of Rs. 40 lakhs on that almost works out to 16—20 per cent. Therefore, taking all these factors into consideration in a balanced manner, it is only at the end of the peak period—the optimum period of production—that the net returns will be what it would normally be in a commercial enterprise of this type.

Then it was said that we did not do the designs and we had to have foreign technicians, thereby spending money on them. In 1957-58, we had 10 foreign technicians in this concern. Practically all the important departments were headed and superintended by foreign technicians. The House will be glad to know that in November 1959 we have no Swiss expert at all in this enterprise. All the Swiss friends—with great commitments and respect to them—have gone back to their country, and the enterprise is now being entirely

managed by Indians. As far as the new technicians, we have three or four of them for a while in order to put their designs in order.

Therefore, it is not as if in all our enterprises, whether it is HMT or Sindri or the Heavy Electricals at Bhopal, we have any large overloading of foreign experts. But to the extent that they are necessary and for the duration that they are useful, we have got to welcome them. We not only welcome them, but we are grateful to them for parting with their technical know-how and transferring it to our trainees.

Regarding the efficiency of the Indian technicians, I must say a word here. The Indian technician in the last 11 years since independence has proved that he is a match to any of his compatriot throughout the world. The technician at HMT has proved this in ample measure. It was in the last year that we got the productivity of the Indian technician measured in this enterprise. What my hon. friend was saying just now is correct. 220 technicians of HMT showed a productivity ratio of 1 to 0.9 of the Swiss counterpart. That is, out of 2,600 technicians in this factory, 220 boys came up to ten per cent better than their Swiss counterparts. It is a matter of great pride and satisfaction that given the proper type of environment and opportunity and training, the Indian technician is no inferior—in a few cases he is sometimes better—to his compeer in any part of the world. That is a sign of great satisfaction and great optimism and hope for the future of this country in all the fields—economic, social, technical, engineering and industrial.

The workers' participation in management has been—I may not say 'complete success'—a success to a large measure. It is too early to judge. 18 months is an insufficient period. It was only in June 1958 that we inaugurated this scheme. As always happens, intra-union rivalries between two unions, one alleging something about the other, were there and it led to a little retardation in

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this particular programme. We hope that the Labour Commissioner and the Labour Minister of the Mysore Government will settle the question and we shall resume this very useful experiment in the public sector. We are completely wedded to this experiment both in the public and the private sectors and we mean to make a success of it. Therefore, I can assure the hon. Members that all efforts are being made to make a success of this scheme because it gives the worker a forum for self-expression. This morning, some hon. Members wondered whether there was any reality in this. If they go through the agreement which the workers have entered into with the management they will see that real effective administration is being transferred and the work is shared between the workers and the management. Therefore, it is not a mere superficial thing or decoration or a psychological satisfaction. It is a social experiment in the field of industrial management and we hope that in the coming years more and more efforts will be made by the Government, workers and the industry to see that workers' participation in management succeeds.

The question was rightly raised by my hon. friend. What is the future of the machine tool industry in the country, particularly so far as the HMT is concerned? Machine tool is the mother of all industrial programmes. Without it, heavy industries cannot be built and without heavy industries, no industrial programme can prosper. It is the kingpin of the entire industrialisation programme of this country and so the greatest emphasis is being given to it. The House will be happy to know in 1955 the production was less than Rs. 50 lakhs and during the current year—within three or four years—the production has risen to Rs. 6 crores in the machine tool sector—both the private and the public sectors—and for about 40 per cent of this HMT has accounted for.

Recently we have contracted with the Czechoslovakian Government for establishing a big heavy machine tool plant. HMT produces medium size and the Praga produced the light type. Now, with the collaboration of Czechoslovakia we propose to establish a heavy machine tool plant which will also be established in the industrial complex at Ranchi along with the heavy machine building plant. When it goes into full production, the total production will be worth something like Rs. 8-9 crores. The capital and assets of the HMT during the Third Plan are being trebled and we hope that its production in 1965-66 will touch anywhere between Rs. 8-9 crores. The totality of the production of the machine tool industry in the Third Plan, both in the private and the public sectors, will be anything between Rs. 25-30 crores. It will be a big jump from a small production worth Rs. 50 lakhs about four years ago to Rs. 25-30 crores by the end of the Third Plan. We feel that when the HMT develops in this country the other higher and superior technical needs can be met with the aid of the designing skills of the HMT.

Shri Tangamani: What would that be in terms of number of machines? If it is to Rs. 8 crores to Rs. 9 crores in the Hindustan Machine Tools, what will be the number in terms of machines.

Shri Manubhai Shah: As and when more collaboration comes it will increase. Machine tools, as I said, is a versatile line. There are more than 10,000 types of machines of which 30 to 32 are versatile, multi-purpose, and the rest are special purpose machines. It is not—this, Sir, is in response to what Shri Muniswamy said—as if a design once made is perpetual. Every day new scientific inventions come and machine tools go on changing. Depending on the required end-product that a particular factory wants to produce the machine tool has to adapt itself. So multi-purpose machine tools and special purpose machine tools are two distinct varie-

ties, and we will try to cover as many types of middle type machines in the Hindustan Machine Tools as possible, and as many heavy machine tools as possible in the Czechoslovakian project, expansion of Praha tools and pansion of 22 private sector machine tool factories in diverse lines.

We are not afraid of competition from any quarter. We, therefore, have not accepted the Thacker Committee's recommendation that overlapping should be avoided. Actually there is no overlapping in a country which is short of satisfying its own internal demands. Let every man in the private sector produce what he wants to produce and the Hindustan Machine Tools also produce whatever it thinks economically feasible and in the best interest of that factory based on the principles of a sound commercial undertaking. There is hardly any conflict of interest or conflict of economic benefit by taking up the same type or similar types of machines in different factories. What we aim at is to cover the widest possible range of machine tools required for different programmes of industrialisation through these different factories in the private sector and the public sector.

We invite competition because that also tries to put us into greater efficient role and to judge our performance by similar performance, competitive performance in factories situated in the private sector. Therefore, that is a matter on which we do not entertain much anxiety. We welcome competition both from our compatriots in the private sector and also similarly placed public sector factories in the field of machine tools.

Sir, a point was made about designing, which is the most important thing on which we give the highest importance in the public sector. We, therefore, have started, as I had the privilege of placing before the House last session, a new section called the Machine Tool Designing Centre in the Hindustan Machine Tools. We are trying to raise a corpus of about

56 designers who will establish the nucleus of designing machine tools in the Hindustan Machine Tools. They will attempt the proto-type of those which are the best in the world and invent or put such modifications in those machines which will make them more easily amenable to Indian skills and technique. Therefore, original designing will be gradually introduced in the Indian machine tool industry. Over and above that, as the House is already aware, the Czechoslovakian Minister when he was here was glad to announce a collaboration on the establishment of Indo-Czechoslovakian technological institute to be established in this country. The House will be glad to know that the Government of India have decided that this institute will be for the machine tool industry, that is, the Czechoslovakian collaboration will be obtained for the establishment of a central institute on machine tools which will train a large number of Indian technicians in designing of the light machine tools, medium machine tools and heavy machine tools. Therefore, that is a gift which is very valuable and given by a country which is well known in machine tool industry, a gift of Rs. 60 lakhs worth of kroners in terms of equipment, machinery and experts. There will be a counter matching grant from the Government of India to the extent of Rs. 60 lakhs to Rs. 75 lakhs. Therefore, at a total cost of Rs. 14 crores to Rs. 14 crores that institute will be established in India, where from all parts of the country young engineers will be taken with experience or little background of machine tools and will be trained in all the technology, designing and project making of machine tools of light variety, medium variety and heavy machine tool variety.

Shri N. R. Muniswamy: Where will it be located?

Shri Manubhai Shah: That is not yet known. It has just started; the location will also be decided suitably. All the opinions including those of my hon. friend Shri Muniswamy will be taken into consideration, as to the location of the plant.

Shri Harish Chandra Mathur: I am satisfied that it will be in India.

Shri Manubhai Shah: Somewhere in India at the most beneficial place. What I wanted to urge before this House is that all aspects of this mother of industrialisation have been gone into; that it to say, all the ramifications of the machine-tool industry, starting from the HMT, have been gone into. I can assure the House that every aspect of the problem, which the House was pleased to comment upon while taking these reports into consideration, will be taken into consideration.

Shri Tangamani: What about the foundry project?

Shri Manubhai Shah: As regards the foundry project, orders have been placed. We have always given the highest importance to the fact that the machine-tool factory must have its own foundry and casting. It took us a little time to explain it to the various other friends in the different ministries, and we have succeeded in getting the necessary foreign exchange. Orders have been placed. A few parts are going to be made in India, and I hope by the middle of 1961, the foundry will go into production, as far as the Hindustan Machine-tools are concerned; it will take at least 18 months, because it is not so quick a work as that. We have to import the machinery, but we will try to see that it is established and goes into production by the middle of 1961. As an integral part of the machine-tool factories, we consider it very necessary that the casting should be done, and casting requires, curing, maturing and storage for a long time. In order to be free from defects, the machine tool industry must have a large part of casting work in its own foundry. Therefore, orders have been placed.

What I was saying was, I could assure the House that all the aspects to which the different hon. Members drew the attention of the Government and the Ministry, will be taken into

consideration. If I may say so,—I may be permitted to repeat it—the Hindustan Machine-tool Factory is the *magnum opus* of the public sector in this country. All the aspects will be taken into fullest consideration and we shall learn and get the benefits of those comments for improving the working not only of this enterprise, but the enterprises in all the other public sector industries that are within our ministry and the other ministries too.

Shri N. R. Muniswamy: Can the hon. Minister throw some light on the payment of royalty?

Shri Manubhai Shah: I gave the figures already. I said, Rs. 41 thousand for 1955-56; Rs. 84 thousand in 1957-58; and Rs. 72 thousand in 1958-59. I also mentioned—perhaps Shri N. R. Muniswamy was not present here then—that royalties are an integral part of obtaining the technical know how for higher-skilled functioning which are in the best interests of the country and for the development of industries.

Shri A. C. Guha: Is no royalty to be paid to Oerlikons?

Shri Manubhai Shah: According to the modified agreement, it is four per cent on the Oerlikon's design, which the House knows is diminishing every five years. For the second five-year period, it is 3½ per cent; for the third five year period, it is 3 per cent, and for the fourth five-year period, it is 2 per cent. That is taxable.

Shri Tangamani: I want an answer on two points. One is about the technical collaboration agreement of 2-1-1959. I want a reply from the hon. Minister before he concludes.

Mr. Deputy-Speaker: The hon. Member may start his reply now.

Shri Tangamani: Mr. Deputy-Speaker, Sir, as I have stated at the outset, my purpose in raising this discussion was to focus public attention on this very important industry, namely, the machine tool industry, and the magnificent performance this

industry in the public sector has made. I was also anxious to impress upon this House that it is necessary that it is freed from the competition from private sector, and that the people who have got interest in allied industries should not be associated in the directorate.

I am happy that many hon. Members have shared with me these sentiments. I am also happy that many points which have been raised were clarified by the hon. Minister, Shri Manubhai Shah.

I would also like to impress upon him that although the price-policy has been defined by him, it is necessary that the price of the high-precision lathes also should be reduced from Rs. 29,500 because there is a demand for that type of lathes, and the price is beyond the reach of many of these private small industrialists.

The next point on which I wanted some clarification and which was not replied to is the question of agreement that we have entered into with the French experts for technical collaboration, the agreement signed on 1-2-1959. I wanted to know whether we have gone into the production of these cheap lathes which are priced at Rs. 13,250 and if so, what is the number of machines which have been produced this year and what is the prospect for next year.

As I said in the beginning, I am happy that a new agreement has been entered into with the Italian firm for the manufacture of grinding machines. But in both the agreements, we were told that some of our technicians would be sent to Italy and France to have training. I wanted to know whether these people have been sent to the respective countries for this training.

The next point on which I wanted clarification was about the number of trainees. This is a centre where workers have been trained in a useful purpose. But although in 1958

as many as 458 people were trained, in 1959 only 99 have been trained. Of course, there is the other bigger scheme for training, but I would like to know whether this number will go down or whether there is a chance of increasing the number of trainees. It is seen from the hon. Minister's speech and also from the report that the training given to the workers has been very useful. Some workers who are engaged in producing ancillary machinery have found this training very useful.

I am also happy that the experiment of workers' participation in the industry has been started here and this was inaugurated by the hon. Minister himself last year. Although there might have been some hitch here and there, by and large he has assured us that this has worked very well. I would again request him to take steps for bringing about a cordial relationship between the management and the workers.

I also raised the question of the demand of the workers for increased wages in the light of the second Pay Commission's report. I would also like to mention that there has been a demand from the various trade union organisations that the provident fund contribution should be increased from 6½ per cent. to 8-1/3 per cent. This is one of the units where this has been accepted since 1958 and put into practice. I submit the other industrial units in the public sector may also be requested to follow suit.

Once again I want to thank the hon. Minister and the hon. Members who have participated in this discussion for expressing sentiments which are more or less in line with the points I have raised. With these words, I commend my motion to the House.

Sir, may I have the reply to the points I have raised just now?

Mr. Deputy-Speaker: He was only replying; I cannot allow him to ask further questions. If the Minister is anxious to reply, I have no objection.

Shri Manubhai Shah: Regarding the agreement with the French experts, already the prototype has gone into production. In another 4 or 5 months, regular production will begin. The trainees have been sent to France.

Regarding the Olivetti's grinding machine, the men are yet to be selected. The agreement has recently been signed and so the prototype has not been produced.

* Regarding the training, during the last budget discussion, I had given the entire background of the training programme. The original number was high, because they were really training the high type of technicians required for the factory. That was a very expensive training.

For two years, practically no apprentices were coming either from the factory or from any industrial establishment from the private sector or the public sector. So, we appointed a committee which went into this matter and suggested three new courses to take 240 technicians both from the public sector and from the private sector, to give three medium types of training programmes for operators, machine tool technicians and for maintenance and repair work, of which one course has already gone into training and 99 boys are working. In two or three months' time all the remaining boys will be taken up and both the courses will start. Therefore, it has been completely re-oriented to subserve the whole country instead of one unit as in the past.

17 hrs.

Mr. Deputy-Speaker: The question is:

"That this House takes note of the Annual Report of the Hindustan Machine Tools (Private) Limited for the year 1957-58, laid on the Table of the House on the 22nd September, 1958."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That this House takes note of the Annual Report of the Hindustan Machine Tool (Private) Limited for the year 1958-59, laid on the Table of the House on the 6th August, 1959."

The motion was adopted.

17.01 hrs.

*METHANOL PLANT, SINDRI

Shri Aurobindo Ghosal (Uluberia): A few minutes before we were discussing about the Hindustan Machine Tools, which has been acclaimed by all sections of the House, and I also agree with them that this is one of the best public undertakings under the Ministry of Commerce and Industry. But, at the same time, there are some other public undertakings under the same Ministry where the affairs are very much deplorable.

Sindri is one of glaring instances of maladministration. I am making this sweeping remark, not vaguely but on the basis of concrete facts. The methanol plant incident is one of the series of instances of maladministration. This methanol plant was received from Germany on the War Reparation Account in 1949. The machine was in good order before its reparation, because it was in operation at the well-known factory of Messrs. B.A.S.F. Oppen of Germany. The price of the machine would be about Rs. 1.5 crores to 2 crores. It was received as reparation for the war. The expenditure incurred on transportation from Germany to India amounted to about Rs. 7.5 lakhs. This plant can produce 10,000 tons of methanol and 20,000 tons of ammonia per year for the production of fertilizers.

*Half-an hour discussion.

Naturally, at that time, as there was no other fertilizer factory in India except Sindri, it was sent to Sindri with the idea of installing it there. In the past a number of proposals were made to set up this plant at Sindri. In 1955 the late Ministry of Production took initiative and set up a committee to consider the utilisation of this methanol plant. This committee submitted their report in April 1956, and they also recommended to utilize this plant by installing it at Sindri. The same Ministry, even after that enquiry, invited Soviet experts to inspect the machinery to see whether the machinery was in order. These Soviet experts also submitted their report, recommending the utilisation of the machinery by installing it at Sindri.

Unfortunately, we do not know why the Sindri authorities are all along hostile to the installation of this plant at Sindri. So far as my information goes, due to the opposition of the Sindri authorities, and particularly of the Managing Director of the Factory, plan for installation has been rejected every time. Of course, I do not know why the Ministry of Production did not take the initiative and try to instal this machinery at Sindri in spite of their opposition. We do not also know what prevented this Ministry of Production from pursuing this matter, so that this plant which could manufacture fertilisers can be utilised in the best way.

The Russian Government first offered their co-operation and assistance in the utilisation of the plant by installing it at Sindri. But, as the Sindri authorities were very much hostile to their proposal, they withdrew their offer. Thereafter, the Ministry approached several foreign companies, namely, Montecatini of Italy, B.A.S.F. of West Germany, Bochacko of West Germany. Bochacko of West Germany also expressed their inability to instal the methanol plant in Sindri on account of the hostility of the Sindri authorities. Montecatini of Italy submitted a project report and

made an offer in the month of June, 1957. During that period, the Ministry of Production changed and this came under the Ministry of Commerce and Industry. The Sindri authorities got another opportunity to make delay in the installation of this important plant.

During the last three years, so many enquiries and project reports have been made and so many foreign companies were invited to recommend how the plant could be utilised in the best way. In spite of their offers and reports, this was not done and the Ministry of Production did not pursue this matter. Recently we learnt that the Government have taken a decision, again, to invite another firm of West Germany to make a project report, though the additional cost for this will be Rs. 50,000.

While this game was going on for several years, the plant was kept under open sky. Neither the Ministry of Production nor the Sindri authorities could find any finance to put this plant under cover or a shed. Recently, this plant has been damaged on account of fire. That has recently occurred. The fire is stated to have been caused by cinders on track under the ground. When we went to Sindri, we were told by the Managing Director that a spark from the cinder might have been carried by wind and caused this fire, and as such, no responsibility could be fixed on any one.

But, in reply to my previous Starred Question No. 380 dated 27-11-1959, a separate statement has been made. It is stated:

"An enquiry was made to determine the cause of the fire. It was discovered that there had been another fire earlier on the same day in an adjoining area which was dealt with promptly by the Fire Service people who thought that they had completely extinguished it. Some sparks it is presumed remained and fanned by the breeze, might have caused the fire to the Methanol plant."

[Shri Aurobindo Ghosal]

I do not know if this incident was discovered or invented. Who made the enquiry? No mention has been made if an enquiry was made by responsible persons. This reply is of such a nature as if a small thing has happened, but I shall presently tell you the extent of damage caused by this fire.

It can be presumed from this damage that the whole plant, such a valuable plant, was left uncared for. But the Sindri authorities have claimed Rs. 5.64 lakhs from the Government of India as caretaking expense. How much care was taken by the caretakers is evident from the fact that damage to the extent of Rs. 10 lakhs has been caused. On the present depreciated value of the plant, the loss is estimated at Rs. 1.17 lakhs. The replacement value at present-day rates of the equipment damaged by fire is likely to be Rs. 10 lakhs. This damage is not of a small nature so that it can be taken lightly and such a reply given.

We were told by the Sindri authorities that there was no agreement between them and the Government of India for the custody of this plant. To whom does this plant belong, to the Sindri Fertilisers or the Government of India, because the Sindri authorities are taking the plea that they were mere caretakers, it was not kept in their custody; therefore, if any damage occurs, it is the responsibility of the Government of India; they are not responsible for keeping it under cover, besides that they took all possible care. For that reason they have claimed about Rs. 6 lakhs from the Government of India.

Last Friday we were discussing about the reorganisation of our administration in order to fit it into the Welfare State. In these public undertakings the Central Government apparently have got very little control. Naturally taking advantage of that liberalised policy, some of these public

undertakings are not taking care of the plants entrusted to them, and they are causing much damage not only to the plants but are also failing to utilise the machinery. We want to know whether we can at the present moment suffer this damage, and can allow such negligence on the part of the Sindri authorities, I want to know whether it was really kept under their care, and how much of the responsibility can be fixed on them.

The next point is whether any enquiry was really made by responsible persons in order to probe into the real cause of the fire which has caused damage to the extent of Rs. 10 lakhs. Finally we want to know also whether, after this damage, this plant can be installed at all, and whether we can utilise it in a better way.

Mr. Deputy-Speaker: Any other hon. Member wanting to put a question, though no notice has been given under rule 55(5)? None.

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): The hon. Member in the very first sentence of his speech said that Sindri, one of the companies in the public sector, was mis-managed. This is how he started the observations in relation to a plant which has been lying there. I think that all his subsequent remarks have been conditioned by this original observation. There is very little justification for what he has said about the incompetence or inefficiency at Sindri, which, I may be allowed to say, is one of the best-managed State undertakings in the country. It was the first major chemical enterprise; it did very well. It is showing very good profits after having overcome the initial difficulties; and the administration and management of Sindri has been praised by all those who have had opportunity to see its work.

Mr. Deputy-Speaker: Except the hon. Member who also had an opportunity of seeing that,

Shri Aurobindo Ghosal: The production is going down everywhere.

Shri Satish Chandra: According to my hon. friend, this methanol plant was received in 1849. That is not a fact. According to my information, it came in 1950-51. The complete equipment of the methanol plant was received in India in 1951. The plant was part of German reparations received from a well-known firm of chemical engineers in Germany, namely BASF. It is true that it is a costly plant.....

Shri T. B. Vittal Rao: What is it?

Shri Satish Chandra: BASF, that is, Badische Aniline Soda Fabrik; they are one of the biggest chemical concerns in Europe. This plant was utilised there for the production of methanol. It was handed over free. We brought it here. We spent Rs. 7½ lakhs or so for its transportation from Germany to the Sindri site. There was no other big chemical factory in India at that time, and Sindri itself was being set up; so, Government thought it fit to keep it at Sindri, and see how it could be utilised in future.

Methanol is a military explosive. The capacity of this plant, is 140 tons of crude methanol per day. We made estimates of our requirements and found that hardly 16 tons per day production for a limited period in a year would be sufficient to meet our total requirements. This plant came to us free, but, it became a source of worry as to how it could be utilised. It was a big plant, about 1,500 tons in terms of weight, packed in hundreds of crates; it was brought here; but there was not even enough storing space for these large cases. So, they were stored in the open near the Sindri factory. Being a chemical plant, we thought it might be possible to utilise it for some purpose, a part of it or the whole of it. The matter has been considered again and again. We have always come across one difficulty that its capacity is too big for our purposes.

Then, we thought of alternative uses. We consulted experts. We get the Russian experts at one time; they said that it could be utilised, but that the plant was very old, it had been run for decades in Germany, it had been brought here, without proper inspection, and without fully testing it, it was difficult to take responsibility for setting up such a plant and to advise as to what other equipment would have to be added and so on.

Then, we consulted the firm of Messrs. Montecatini of Italy—the hon. Member knows all these details—who were entrusted with the expansion of our plant at Sindri. They were working there as contractors. So, we asked them to see this plant; after examining it, not very thoroughly, they informed us that if we set up a new methanol plant to meet our requirements, it might cost only ten per cent. more or something like that; besides, this plant would be an old one, whereas the new plant will be a brand new one. So this also did not help us.

We ourselves appointed an Expert Committee, taking a representative from the ordnance organisation of the Ministry of Defence, our own Industrial Adviser (Chemicals) and others to look into this matter and to see if something could be done. They examined the plant and made a recommendation that portions of it could certainly be used. It could be used for the manufacture of methanol provided the demand was substantial, it could be set up from the point of self-sufficiency and utilised for a limited period in a year. The Defence Ministry were consulted. They thought that it was a very hazardous explosive material and, therefore, it would be wrong to locate it at Sindri; they would like to locate it near one of their explosive factories.

The argument has gone on like that. I admit it has taken a very long time. It is unfortunate. We

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have constantly been trying to find out it with certain modifications, additions or alterations, it could be utilised for the production of ammonia. The plant, as we have got it at present, cannot start producing ammonia straightway. We have to put up a gasification plant; then there has to be purification and reforming of those gases before they can go into this methanol plant for the production of ammonia. There are many links in the production stream which are missing in the plant in the initial stages and towards the end. If it is utilised for the production of methanol, some additional plant would be necessary for refining that methanol. It is only crude methanol which can be produced by this plant.

Then we discussed the matter further. Our Industrial Adviser recommended that it would be better if we made a present of this to Sindri. Let them open all the crates, examine them and study them; let them see what part of the plant can be utilised in some other chemical project. It could be treated as part of an experimental station in which further researches could be carried on. The plant does not belong to Sindri. The hon Member posed a question as to the ownership of the plant. It was brought on Government account. It has been placed in the custody of Sindri. But it is not the property of Sindri until now. So any responsibility is also not Sindri's. We only entrusted Sindri with the responsibility of storing the crates and seeing that they are properly checked and maintained. But it is not the property of the Sindri factory. It is the property of the Government. We want to utilise it as best as possible. Ultimately, we wanted to consult some other firms such as BASF and ask for their opinion. For some time, they were hesitant, but last year they said that they would be glad to make a project report for us. Their experts came here and examined this plant. They went back and promised that in three

or four months, they would be able to give a detailed project report as to how this plant could be utilised under our conditions. Normally, we would have got this report a few months ago. But then we received another communication from BASF, who were the original owners of this plant, that our coke and coal gas was not completely suitable for the plant, and some additional carbon dioxide gas had to be added from outside. The percentage of carbon monoxide was not the same as in Germany. Therefore, certain alterations were necessary. Carbon dioxide gas will have to be provided from outside. We made enquiries whether Sindri was in a position to provide that additional gas so that the deficiency in our coke and coal could be overcome. Unfortunately, Sindri has no spare gas of the type that is required. So, they have started all over again to study as to how it could be utilised on the basis of the Indian coal. All these complications have been there. It is an extremely technical matter. As a layman I have tried to understand it and I am placing the facts before you. It is a highly technical matter on which chemical engineers have applied their minds which I cannot even express in very clear terms before this House. I will hesitate to draw conclusions which the hon. Member has drawn from our inability to set up this plant up to this time. But we are anxiously awaiting the report. We do not know the financial implications. The two earlier appraisals of the Russians and the Italians do not give us a very detailed picture. After a preliminary examination of the plant, they said that it could be installed with alterations or additions.

The hon. Member referred to the firm of Bachako and said that they expressed their inability to put up this plant due to the intransigent attitude adopted by the managing director who, according to the hon. Member, has been placing all sorts of impediments in the way of putting

up this plant at Sindri. I am surprised that such a thing should have been said in this House. The managing director of Sindri is a conscientious public servant and is as anxious as any one of us to make the best use of that plant.

Shri Aurobindo Ghosal: I can give you more facts.

Shri Satish Chandra: You may raise another discussion. But as regards this plant, it is not his responsibility. He is only a custodian. We actually asked this firm which is expert in methanol production to come and examine and give us a report. We invited tenders. They were not interested at all; they never examined this plant. I do not know how the hon. Member gets this information. Perhaps they thought that the matter was too small for them to come all the way from Germany and give us a report.

Shri T. B. Vittal Rao: They did not do so because Sindri is a competitor to Buchako.

Shri Satish Chandra: I do not think it is a competitor. Sindri is not even an exporter of its product; the whole of it is utilised in India and we are today a bigger importer of fertilisers than we were when Sindri was set up because the demand is growing faster than production.

Shri T. B. Vittal Rao: In the matter of setting up a fertiliser plant at Rourkela, Sindri had also taken a contract for Rs. 8 crores.

Shri Satish Chandra: That was earlier than this. These tenders were invited even before that date. Anyhow, the managing director has no interest in not utilising something which belongs to the nation if it can be done in a proper manner and for the advantage of the people of this country.

The hon. Member referred at great length to the fire incident that took 296(A) LSD-9

place at Sindri a few months ago. As I said, for seven or eight years these huge crates weighing thousands of tons have been lying in the open field by the side of a railway siding. They have been looked after by chowkidars and others on the spot. Periodically these crates are opened, the contents are cleaned and some greasing is done to the more important mechanical portions of the plants. The earlier fire to which the hon. Member referred started a few hundred yards away from this plant on the other side of the railway line. There is a railway line going in between these crates lying across the yard on one side and the timber sleepers lying a few yards away on the other side. There was a fire during the day in the open where some rotten sleepers which were to be moved out by the railways were lying. The earlier fire might have been caused by sparks from the railway engine. Fire extinguishers extinguished the fire. How the second fire started is not clear. An enquiry committee consisting of technicians was appointed. The hon. Member wanted to know the names of the members of the technical committee. There was an officer from the Sindri Power House, the Stores officer of Sindri and a Technologist of Sindri. They were Messrs. Ghosh, Subbaraya and Varhat. These three officers were directed to enquire into the causes of the second fire which took place in the methanol plant that day. They found that it was accidental. There was nobody near the crates. As I said there was an earlier fire across the railway yard. Though it was thought to be extinguished, it is possible the wind was blowing from that side towards the place where the methanol plant was stored. Some flying sparks from earlier fire might have landed on the crates and caused the second fire. They were not definite about it; they have only said that it could have been the cause of this fire.

The damage has been assessed according to the book value, as only

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Rs. 1 lakh, but the Sindri management say that if the portions which have been damaged are to be replaced with new equipment, probably the replacement cost may be somewhere about Rs. 10 lakhs to Rs. 11 lakhs. The fire was dealt with promptly and extinguished. Some of the crates actually caught fire. The actual damage, apart from the rough estimates that have been made, will only be known when the plant is actually put up somewhere and replacements are ordered.

I have nothing more to say, except that apart from this fire incident,

which is unfortunate, the setting up of the methanol plant is a very complicated problem and it is receiving Government's attention. It can be utilised, as I said, in many ways, but it requires very competent technical advice for which we have appointed technical consultants in Germany who are preparing the project report.

17.35 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, December 8, 1959/Agrahayana 17, 1881 (Saka).

[Monday, December 7, 1959/ Agrahayana 16, 1881 (Saka)]

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WRITTEN ANSWERS TO
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651.	Ceramic factory in Jammu and Kashmir State	3649
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653.	Export of Tea	3650
654.	Central Government Employees in Madhya Pradesh	3651
655.	Indo-Pakistan Copyright Agreement	3651—52
656.	Assistance to Small Newspaper Units	3652
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PAPERS LAID ON THE TABLE
(1) A copy of the Limited Payments Agreement signed between the Governments of India and Pakistan on the 3rd December, 1959.
(2) A copy of each of the following Notifications issued under Section 15

PAPERS LAID ON THE TABLE—contd.

PAPERS LAID ON THE TABLE—contd.

COLUMNS

COLUMNS

of the Industries (Development and Regulation) Act, 1951 :

(i) S.O. No. 2541 dated the 16th November, 1959.
 (ii) S.O. No. 2593 dated the 18th November, 1959.

(3) A copy of each of the following papers, under sub-section (2) of Section 16 of the Tariff Commission Act, 1951 :

(i) Report (1959) of the Tariff Commission on the Fair Ex-works and Fair Selling Prices of Paper and Paper boards.
 (ii) Government Resolution No. Ch (1)-41 (79)/59 dated the 27th November, 1959.

(iii) Statement explaining the reasons why a copy each of the documents at (i) and (ii) above could not be laid on the Table within the period prescribed in the said sub-section.

(iv) Report (1959) of the Tariff Commission on the Continuance of Protection to the Machine Screw Industry.

(v) Government Resolution No. 18(1)-T.R./59 dated the 1st December, 1959.

(vi) Notification No. 18(1)-T.R./59 dated the 1st December, 1959.

(vii) Statement explaining the reasons why a copy each of the documents at (iv) to (vi) above could not be laid on the Table within the period prescribed in the said sub-section.

(viii) Report (1959) of the Tariff Commission on the Continuance of Protection to the Cotton and Hair Belting Industry.

(ix) Government Resolution No. 6(1)-T.R./59 dated the 2nd December, 1959.

(x) Statement explaining the reasons why a copy each of the documents at (viii) and (ix) above could not be laid on the Table within the period prescribed in the said sub-section.

(xi) Report (1959) of the Tariff Commission on the Continuance of Protection to the Automobile Leaf Spring Industry.

(xii) Government Resolution No. 21(3)-T.R./59 dated the 27th November, 1959.

(xiii) Statement explaining the reasons why a copy each of the documents at (xi) and (xii) above could not be laid on the Table within the period prescribed in the said sub-section.

(xiv) Report (1959) of the Tariff Commission on the Continuance of Protection to the Non-Ferrous Metals Industry.

(xv) Government Resolution No. 22(1)-T.R./59 dated the 4th December, 1959.

(xvi) Report (1959) of the Tariff Commission on the Continuance of Protection to the Stearic Acid and Oleic Acid Industry.

(xvii) Government Resolution No. 2(1)-T.R./59 dated the 30th November, 1959.

(4) A copy of Notification No. S.O. 2698 dated the 4th December, 1959, under sub-section (6) of Section 3 of the Essential Commodities Act, 1955, making certain amendments to the Non-ferrous Metals (Control) Order, 1958.

PAPERS LAID ON THE
TABLE—contd.

(5) A copy of statement showing summary of the main conclusions of the Seventeenth Session of the Indian Labour Conference held at Madras in July, 1959.

(6) A copy of Notification No. G.S.R. 1307 dated the 28th November, 1959, under sub-section (2) of Section 7 of the Employees' Provident Funds Act, 1952, making certain further amendments to the Employees' Provident Funds Scheme, 1952.

MESSAGES FROM RAJYA SABHA

Secretary reported the following messages from Rajya Sabha :

(i) That at its sitting held on the 3rd December, 1959, Rajya Sabha had agreed without any amendment to the Andhra Pradesh and Madras (Alteration of Boundaries) Bill, 1959, passed by Lok Sabha on the 23rd November, 1959.

(ii) That at its sitting held on the 30th November, 1959, Rajya Sabha had passed the Married Women's Property (Extension) Bill, 1959.

BILL PASSED BY RAJYA SABHA LAID ON THE TABLE

Secretary laid on the Table the Married Women's Property (Extension) Bill as passed by Rajya Sabha.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE.

Shri S. M. Banerjee called the attention of the Minister of Works, Housing and Supply to the decision of the Central Government to increase the rent of the houses constructed in several cities of Uttar Pradesh.

COLUMNS

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE—contd.

COLUMNS

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda) made a statement in regard thereto.

REPORT OF THE BUSINESS ADVISORY COMMITTEE ADOPTED . . .

3694

Forty-sixth Report was adopted.

BILL UNDER CONSIDERATION

3694—3776

Further discussion on the motion to consider the Dowry Prohibition Bill as reported by the Joint Committee was concluded and the motion was adopted. Clause-by-clause consideration of the Bill commenced. Discussion of clause 2 was held over. Consideration of clause 3 was not concluded.

MOTIONS RE. REPORTS OF HINDUSTAN MACHINE TOOLS

3776—3826

Shri Tangamani moved for consideration of the Annual Reports of Hindustan Machine Tools for the years 1957-58 and 1958-59. After discussion the motions were adopted.

HALF-AN-HOUR DISCUSSION

3826—38

Shri Aurobindo Ghosh raised a half-an-hour discussion on points arising out of the answer given on the 27th November, 1959 to Starred Question No. 380 regarding Methanol Plant, Sindri.

The Deputy Minister of Commerce and Industry (Shri Satish Chandra) replied to the debate.

AGENDA FOR TUESDAY, DECEMBER 8, 1959/AGRA-HAYANA 17, 1881 (SAKA)—

Further clause-by-clause consideration of the Dowry Prohibition Bill, as reported by Joint Committee and consideration of the Mines (Amendment) Bill and passing of the Bills.

3690

3690

3691—93